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New York (State) Constitutional convention, 1894 ²⁸

THE CONVENTION MANUAL

OF THE

Sixth New York State Constitutional Convention

1894.

ANNOTATED CONSTITUTION ^{cf}

OF THE

STATE OF NEW YORK.

PREPARED IN PURSUANCE OF CHAPTER 8, OF LAWS OF 1893, AND
CHAPTER 228 OF LAWS OF 1894.

UNDER THE DIRECTION OF

JOHN PALMER, SECRETARY OF STATE.

JAMES A. ROBERTS, COMPTROLLER.

THEO. E. HANCOCK, ATTORNEY-GENERAL.

By GEORGE A. GLYNN, SYRACUSE, *Compiler.*

Part 2, Vol. 6.

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ALBANY:
THE ARGUS COMPANY, PRINTERS.

724
116
894 m. 11

JAN 14 1938

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THE
ANNOTATED CONSTITUTION
OF THE
STATE OF NEW YORK.

PREAMBLE.

- 1 We, the people of the State of New York, grateful to Almighty
- 2 God for our freedom, in order to secure its blessings, do
- 3 establish this Constitution.

ALABAMA.

We, the people of the State of Alabama, in order to establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare and secure to ourselves and to our posterity, life, liberty and property, profoundly grateful to Almighty God for this inestimable right and invoking His favor and guidance, do ordain and establish the following Constitution and form of government for the State of Alabama.

ARKANSAS.

We, the people of the State of Arkansas, grateful to Almighty God for the privilege of choosing our own form of government, for our civil and religious liberty, and desiring to perpetuate its blessings and secure the same to ourselves and posterity, do ordain and establish this Constitution.

CALIFORNIA.

We, the people of the State of California, grateful to Almighty God for our freedom, in order to secure and perpetuate its blessings, do establish this Constitution.

COLORADO.

We, the people of Colorado, with profound reverence for the Supreme Ruler of the Universe, in order to form a more independent and perfect government; establish justice; insure tranquility; provide for the common defense; promote the general welfare and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the "State of Colorado."

CONNECTICUT.

The people of Connecticut, acknowledging with gratitude the good providence of God, in having permitted them to enjoy a free gov-

Preamble.

ernment, do, in order more effectually to define, secure, and perpetuate the liberties, rights, and privileges which they have derived from their ancestors, hereby, after a careful consideration and revision, ordain and establish the following Constitution and form of civil government.

DELAWARE.

We, the people, hereby ordain and establish this Constitution of Government for the State of Delaware.

Through divine goodness, all men have by nature, the rights of worshiping and serving their Creator according to the dictates of their consciences, of enjoying and defending life and liberty, of acquiring and protecting reputation and property, and in general of attaining objects suitable to their condition, without injury by one to another; and as these rights are essential to their welfare, for the due exercise thereof, power is inherent in them; and, therefore, all just authority in the institutions of political society is derived from the people, and established with their consent, to advance their happiness; and they may for this end, as circumstances require from time to time, alter their Constitution of government.

FLORIDA.

We, the people of the State of Florida, grateful to Almighty God for our constitutional liberty, in order to secure its blessings and to form a more perfect government, insuring domestic tranquillity, maintaining public order, and guaranteeing equal civil and political rights to all, do ordain and establish this Constitution.

GEORGIA.

To perpetuate the principles of free government, insure justice to all,

preserve peace, promote the interest and happiness of the citizen, and transmit to posterity the enjoyment of liberty, we, the people of Georgia, relying on the protection and guidance of Almighty God, do ordain and establish this Constitution.

IDAHO.

We, the people of the State of Idaho, grateful to Almighty God for our freedom, to secure its blessings and promote our common welfare, do establish this Constitution.

ILLINOIS.

We, the people of the State of Illinois, grateful to Almighty God for the civil, political and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and transmit the same unimpaired to succeeding generations, in order to form a more perfect government, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the State of Illinois.

INDIANA.

To the end that justice be established, public order maintained, and liberty perpetuated: We, the people of the State of Indiana, grateful to Almighty God for the free exercise of the right to choose our own form of government, do ordain this Constitution.

IOWA.

We, the people of the State of Iowa, grateful to the Supreme Being for the blessings hitherto enjoyed, and feeling our dependence on Him for a continuation of these blessings, do ordain and establish a free and independent government, by the

Preamble.

name of The State of Iowa, the boundaries whereof shall be as follows.

KANSAS.

We, the people of Kansas, grateful to Almighty God for our civil and religious privileges, in order to insure the full enjoyment of our rights as American citizens, do ordain and establish this Constitution of the State of Kansas, with the following boundaries to wit: Beginning at a point on the western boundary of the State of Missouri, where the thirty-seventh parallel of north latitude crosses the same; thence running west on said parallel to the twenty-fifth meridian of longitude west from Washington; thence north on said meridian to the fortieth parallel of north latitude; thence east on said parallel to the western boundary of the State of Missouri; thence south with the western boundary of said State to the place of beginning.

KENTUCKY.

We, the people of the Commonwealth of Kentucky, grateful to Almighty God for the civil, political and religious liberties we enjoy, and invoking the continuance of these blessings, do ordain and establish this Constitution.

LOUISIANA.

We, the people of the State of Louisiana, in order to establish justice, insure domestic tranquility, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, acknowledging and invoking the guidance of Almighty God, the author of all good government, do ordain and establish this Constitution.

MAINE.

We, the people of Maine, in order to establish justice, insure tran-

quillity, provide for our mutual defense, promote our common welfare, and secure to ourselves and our posterity the blessings of liberty, acknowledging with grateful hearts the goodness of the Sovereign Ruler of the Universe in affording us an opportunity, so favorable to the design; and, imploring His aid and direction in its accomplishment, do agree to form ourselves into a free and independent State, by the style and title of the State of Maine, and do ordain and establish the following Constitution for the government of the same.

MARYLAND.

We, the people of the State of Maryland, grateful to Almighty God for our civil and religious liberty, and taking into our serious consideration the best means of establishing a good Constitution in this State for the sure foundation and more permanent security thereof, declare:

MASSACHUSETTS.

The end of the institution, maintenance and administration of government is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it with the power of enjoying in safety and tranquillity their natural rights, and the blessings of life; and whenever these great objects are not attained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity and happiness.

The body politic is formed by a voluntary association of individuals; it is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the

Preamble.

duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation and a faithful execution of them; that every man may, at all times, find his security in them.

We, therefore, the people of Massachusetts, acknowledging, with grateful hearts, the goodness of the great Legislator of the universe, in affording us, in the course of His providence, an opportunity, deliberately and peaceably, without fraud, violence, or surprise, of entering into an original, explicit and solemn compact with each other; and of forming a new constitution of civil government, for ourselves and posterity; and devoutly imploring His direction in so interesting a design, do agree upon, ordain and establish the following declaration of rights and frame of government as the Constitution of the Commonwealth of Massachusetts.

MICHIGAN.

The people of the State of Michigan do ordain this Constitution.

MINNESOTA.

We, the people of the State of Minnesota, grateful to God for our civil and religious liberty, and desiring to perpetuate its blessings and secure the same to ourselves and our posterity, do ordain and establish this Constitution.

MISSISSIPPI.

We, the people of Mississippi, in convention assembled, grateful to Almighty God, and invoking his blessing on our work, do ordain and establish this Constitution.

MISSOURI.

We, the people of Missouri, with profound reverence for the Supreme

Ruler of the Universe, and grateful for His goodness, do, for the better government of the State, establish this Constitution.

MONTANA.

We, the people of Montana, grateful to Almighty God for the blessings of liberty, in order to secure the advantages of a State government, do, in accordance with the provisions of the Enabling Act of Congress, approved the twenty-second of February, A. D. 1889, ordain and establish this Constitution.

NEBRASKA.

We, the people, grateful to Almighty God for our freedom, do ordain and establish the following declaration of rights and frame of government as the Constitution of the State of Nebraska.

NEVADA.

We, the people of the State of Nevada, grateful to Almighty God for our freedom, in order to secure its blessings, insure domestic tranquillity, and form a more perfect government, do establish this Constitution.

NEW JERSEY.

We, the people of the State of New Jersey, grateful to Almighty God for the civil and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and transmit the same unimpaired to succeeding generations, do ordain and establish this Constitution.

NORTH CAROLINA.

We, the people of the State of North Carolina, grateful to Almighty God, the sovereign ruler of nations, for the preservation of the American Union, and the

Preamble.

existence of our civil, political and religious liberties, and acknowledging our dependence upon Him for the continuance of those blessings to us and our posterity, do, for the more certain security thereof, and for the better government of this State, ordain and establish this Constitution.

NORTH DAKOTA.

We, the people of North Dakota, grateful to Almighty God for the blessings of civil and religious liberty, do ordain and establish this Constitution.

OHIO.

We, the people of the State of Ohio, grateful to Almighty God for our freedom, to secure its blessings and promote our common welfare, do establish this Constitution.

OREGON.

We, the people of the State of Oregon, to the end that justice be established, order maintained and liberty perpetuated, do ordain this Constitution.

PENNSYLVANIA.

We, the people of the Commonwealth of Pennsylvania, grateful to Almighty God for the blessings of civil and religious liberty, and humbly invoking his guidance, do ordain and establish this Constitution.

RHODE ISLAND.

We, the people of the State of Rhode Island and Providence Plantations, grateful to Almighty God for the civil and religious liberty which he had so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and to transmit the same unimpaired to succeeding generations, do ordain and establish this Constitution of government.

SOUTH CAROLINA.

We, the people of the State of South Carolina, in convention assembled, grateful to Almighty God for this opportunity deliberately and peaceably of entering into the explicit and solemn compact with each other, and framing a new Constitution of civil government for ourselves and posterity, recognizing the necessity of the protection of the people in all that pertains to their freedom, safety and tranquillity, and imploring the direction of the Great Legislator of the Universe, do agree upon, ordain and establish the following:

SOUTH DAKOTA.

We, the people of South Dakota, grateful to Almighty God for our civil and religious liberties, in order to form a more perfect and independent government, establish justice, insure tranquillity, provide for the common defense, promote the general welfare and preserve to ourselves and to our posterity the blessings of liberty, do ordain and establish this Constitution for the State of South Dakota.

TENNESSEE.

Whereas, The people of the territory of the United States south of the River Ohio, having the right of admission into the general government as a member State thereof, consistent with the Constitution of the United States, and the act of cession of the State of North Carolina, recognizing the ordinance for the government of the territory of the United States north-west of the Ohio river, by their Delegates and Representatives in convention assembled, did, on the sixth day of February, in the year of our Lord one

Preamble.

thousand seven hundred and ninety-six, ordain and establish a Constitution or form of government, and mutually agreed with each other to form themselves into a free and independent State by the name of the State of Tennessee; and

Whereas, The General Assembly of the said State of Tennessee (pursuant to the third section of the tenth article of the Constitution), by an act passed on the twenty-seventh day of November, in the year of our Lord one thousand eight hundred and thirty-three, entitled "An act to provide for the calling of a convention, passed in obedience to the declared will of the voters of the State, as expressed at the general election of August, in the year of our Lord one thousand eight hundred and thirty-three, did authorize and provide for the election by the people of Delegates and Representatives, to meet at Nashville, in Davidson county, on the third Monday in May, in the year of our Lord one thousand eight hundred and thirty-four, for the purpose of revising and amending or changing the Constitution; and said convention did accordingly meet and form a Constitution, which was submitted to the people, and was ratified by them on the first Friday in March in the year of our Lord one thousand eight hundred and thirty-five; and

Whereas, The General Assembly of said State of Tennessee, under and in virtue of the first section of the first article of the Declaration of Rights, contained in and forming a part of the existing Constitution of the State, by an act passed on the fifteenth day of November, in the year of our Lord, one thousand eight

hundred and sixty-nine, did provide for the calling of a convention by the people of the State, to meet at Nashville, on the second Monday in January, in the year of our Lord one thousand eight hundred and seventy, and for the election of Delegates for the purpose of amending or revising the present Constitution, or of forming and making a new Constitution; and

Whereas, The people of the State, in the mode provided by said act, have called said convention, and elected Delegates to represent them therein: Now, therefore,

We, the Delegates and Representatives of the people of the State of Tennessee, duly elected and in convention assembled, in pursuance of said act of Assembly, have ordained and established the following Constitution and form of government, for this State, which we recommend to the people of Tennessee for their ratification: That is to say—

TEXAS.

Humbly invoking the blessings of Almighty God, the people of the State of Texas do ordain and establish this Constitution.

VIRGINIA.

Whereas, the delegates and representatives of the good people of Virginia, in convention assembled, on the twenty-ninth day of June, in the year of our Lord one thousand seven hundred and seventy-six, reciting and declaring, that whereas George the Third, King of Great Britain and Ireland, and elector of Hanover, before that time intrusted with the exercise of the kingly office in the government of Virginia, had endeavored to pervert the same into a detestable and insupportable tyranny, by put-

Preamble.

ting his negative on laws the most wholesome and necessary for the public good; by denying his Governors permission to pass laws of immediate and pressing importance, unless suspended in their operation for his assent, and when so suspended, neglecting to attend to them for many years; by refusing to pass certain other laws unless the persons to be benefited by them would relinquish the inalienable right of representation in the Legislature; by dissolving legislative assemblies, repeatedly and continually, for opposing with manly firmness his invasions of the rights of the people; when dissolved, by refusing to call others for a long space of time, thereby leaving the political system without any legislative head; by endeavoring to prevent the population of our country, and for that purpose obstructing the laws for naturalization of foreigners; by keeping among us, in time of peace, standing armies and ships of war; by affecting to render the military independent of and superior to the civil power; by combining with others to subject us to a foreign jurisdiction, giving his assent to their pretended acts of legislation for quartering large bodies of armed troops among us; for cutting off our trade with all parts of the world; for imposing taxes on us without our consent; for depriving us of the benefit of trial by jury; for transporting us beyond the seas for trial for pretended offenses; for suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever; by plundering our seas, ravaging our coasts, burning our towns, and destroying the lives of our people; by inciting insurrection of our fellow-subjects with the allurements of forfeiture and confiscation; by

prompting our negroes to rise in arms among us—those very negroes whom, by an inhuman use of his negative, he had refused us permission to exclude by law; by endeavoring to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions of existence; by transporting hither a large army of foreign mercenaries to complete the work of death, desolation and tyranny, then already begun, with circumstances of cruelty and perfidy unworthy the head of a civilized nation; by answering our repeated petitions for redress with a repetition of our injuries; and, finally, by abandoning the helm of government and declaring us out of his allegiance and protection—by which several acts of misrule, the government of this country, as before exercised under the crown of Great Britain, was totally dissolved—did, therefore, having maturely considered the premises, and viewing with great concern the deplorable condition to which this once happy country would be reduced unless some regular, adequate mode of civil policy should be speedily adopted, and in compliance with the recommendations of the general Congress, ordain and declare a form of government of Virginia.

And, whereas, a convention, held on the first Monday in October, in the year one thousand eight hundred and twenty-nine, did propose to the people of this Commonwealth an amended Constitution or form of government, which was ratified by them;

And, whereas, the General Assembly of Virginia, by an act passed on the fourth of March, in the year one thousand eight hundred and fifty, did provide for the election by the people, of delegates to meet

Preamble.

in general convention, to consider, discuss and propose a new Constitution, or alterations and amendments to the existing Constitution of this Commonwealth; and by an act passed on the thirteenth of March, in the year one thousand eight hundred and fifty-one, did further provide for submitting the same to the people for ratification or rejection, and the same having been submitted accordingly was ratified by them;

And, whereas, the General Assembly of Virginia, by an act passed on the twenty-first day of December, in the year one thousand eight hundred and sixty-three, did provide for the election, by the people, of delegates to meet in general convention, to consider, discuss and adopt alterations and amendments to the existing Constitution of this Commonwealth, the delegates so assembled did, therefore, having maturely considered the premises, adopt a revised and amended Constitution as the form of government of Virginia;

And, whereas, the Congress of the United States did, by an act passed on the second day of March, in the year one thousand eight hundred and sixty-seven, and entitled "An act to provide for the more efficient government of the rebel States," and by acts supplementary thereto passed on the twenty-third day of March and the nineteenth day of July, in the year one thousand eight hundred and sixty-seven, provide for the election, by the people of Virginia,

qualified to vote under the provisions of said acts, of delegates to meet in convention to frame a Constitution or form of government for Virginia in conformity with said acts; and by the same acts did further provide for the submitting of such Constitution to the qualified voters for ratification or rejection;

We, therefore, the delegates of the good people of Virginia, elected and in convention assembled, in pursuance of said act, invoking the favor and guidance of Almighty God, do propose to the people the following Constitution and form of government for this Commonwealth:

WASHINGTON.

We, the people of the State of Washington, grateful to the Supreme Ruler of the Universe for our liberties, do ordain this Constitution.

WISCONSIN.

We, the people of Wisconsin, grateful to Almighty God for our freedom, in order to secure its blessings, form a more perfect government, insure domestic tranquillity, and promote the general welfare, do establish this Constitution.

WYOMING.

We, the people of the State of Wyoming, grateful to God for our civil, political and religious liberties, and desiring to secure them to ourselves and perpetuate them to our posterity, do ordain and establish this Constitution.

No Person to be Disfranchised.

NO PERSON TO BE DISFRANCHISED.

ARTICLE I.

- 1 Section 1. No member of this State shall be disfranchised,
 2 or deprived of any of the rights or privileges secured to any
 3 citizen thereof, unless by the law of the land, or the judgment
 4 of his peers.

Sec. Art.

ALABAMA.**2. I.**

That all persons resident in this State, born in the United States, or naturalized, or who shall have legally declared their intention to become citizens of the United States, are hereby declared citizens of the State of Alabama, possessing equal civil and political rights.

3. I.

That all political power is inherent in the people, and all free governments are founded in their authority, and instituted for their benefit; and that, therefore, they have at all times an inalienable and indefeasible right to change their form of government, in such manner as they may deem expedient.

30. I.

That no person shall be attainted of treason by the General Assembly; and that no conviction shall work corruption of blood or forfeiture of estate.

30. I.

That no title of nobility or hereditary distinction, privilege, honor or emoluments shall ever be granted or conferred in this State; and that no office shall

Sec. Art.

be created, the appointment to which shall be for a longer time than during good behavior.

31. I.

That immigration shall be encouraged; immigration shall not be prohibited, and that no citizen shall be exiled.

39. I.

That this enumeration of certain rights shall not impair or deny others retained by the people.

ARKANSAS.**1. II.**

All political power is inherent in the people, and government is instituted for their protection, security and benefit; and they have the right to alter, reform or abolish the same in such manner as they may think proper.

3. II.

The equality of all persons before the law is recognized, and shall ever remain inviolate; nor shall any citizen ever be deprived of any right, privilege or immunity, nor exempted from any burden or duty, on account of race, color or previous condition.

18. II.

The General Assembly shall not grant to any citizen or class of

No Person to be Disfranchised.

Sec. Art.

citizens privileges or immunities which upon the same terms shall not equally belong to all citizens.

19. II.

Perpetuities and monopolies are contrary to the genius of a republic, and shall not be allowed; nor shall any hereditary emoluments, privileges or honors ever be granted or conferred in this State.

20. II.

This enumeration of rights shall not be construed to deny or disparage others retained by the people; and to guard against any encroachments on the rights herein retained, or any transgression of any of the high powers herein delegated, we declare that everything in this article is excepted out of the general powers of the government, and shall forever remain inviolate; and that all laws contrary thereto, or to the other provisions herein contained, shall be void.

CALIFORNIA.

2. I.

All political power is inherent in the people. Government is instituted for the protection, security and benefit of the people, and they have the right to alter or reform the same whenever the public good may require it.

21. I.

No special privileges or immunities shall ever be granted which may not be altered, revoked or repealed by the Legislature, nor shall any citizen, or class of citizens, be granted privileges or immunities which, upon the same terms, shall not be granted to all citizens.

23. I.

This enumeration of rights shall not be construed to impair or

Sec. Art.

deny others retained by the people.

COLORADO.

1. I.

That all political power is vested in and derived from the people; that all government or right, originates from the people, is founded upon their will only and is instituted solely for the good of the whole.

2. II.

That the people of this State have the sole and exclusive right of governing themselves, as a free sovereign and independent State; and to alter and abolish their Constitution and form of government whenever they may deem it necessary to their safety and happiness, provided such change be not repugnant to the Constitution of the United States.

28. II.

The enumeration in this Constitution of certain rights shall not be construed to deny, impair or disparage others retained by the people.

CONNECTICUT.

1. I.

That all men, when they form a social compact, are equal in rights; and that no man or set of men are entitled to exclusive public emoluments or privileges from the community.

2. I.

That all political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit; and that they have at all times an undeniable and indefeasible right to alter their form of government in such a manner as they may think expedient.

No Person to be Disfranchised.

Sec. Art.

20. I.

No hereditary emoluments, privileges or honors shall ever be granted or conferred in this State.

DELAWARE.

15. I.

No attainder shall work corruption of blood, nor except during the life of the offender, forfeiture of estate. The estates of those who destroy their own lives shall descend or vest as in case of natural death, and if any person be killed by accident, no forfeiture shall be thereby incurred.

19. I.

No hereditary distinction shall be granted, nor any office created or exercised, the appointment to which shall be for a longer term than during good behavior; and no person holding any office under this State, shall accept of any office or title of any kind whatever, from any king, prince or foreign State.

FLORIDA.

2. I.

All political power is inherent in the people. Government is instituted for the protection, security and benefit of the citizens, and they have the right to alter or amend the same whenever the public good may require it; but the paramount allegiance of every citizen is due to the Federal government, and the people of this State have no power to dissolve its connection therewith.

24. I.

This enunciation of rights shall not be construed to impair or deny others retained by the people.

GEORGIA.

1. I.

All government, of right, originates with the people, is founded

Sec. Art.

upon their will only, and is instituted solely for the good of the whole. Public officers are the trustees and servants of the people, and at all times amenable to them.

1. I.

Par. X III. The social status of the citizen shall never be the subject of legislation.

2. I.

Par. III. No conviction shall work corruption of blood or forfeiture of estate.

5. I.

Par. I. The people of this State have the inherent, sole and exclusive right of regulating their internal government, and the police thereof, and of altering and abolishing their Constitution whenever it may be necessary to their safety and happiness.

Par. II. The enumeration of rights herein contained, as part of this Constitution, shall not be construed to deny to the people any inherent rights which they may have hitherto enjoyed.

IDAHO.

2. I.

All political power is inherent in the people. Government is instituted for their equal protection and benefit, and they have the right to alter, reform or abolish the same whenever they may deem it necessary, and no special privileges or immunities shall ever be granted that may not be altered, revoked or repealed by the Legislature.

21. I.

This enumeration of rights shall not be construed to impair or deny other rights retained by the people.

No Person to be Disfranchised.

Sec. Art.

INDIANA.**23. I.**

The General Assembly shall not grant to any citizen, or class of citizens, privileges or immunities which, upon the same terms, shall not equally belong to all citizens.

36. I.

Emigration from the State shall not be prohibited.

IOWA.**2. I.**

All political power is inherent to the people. Government is instituted for the protection, security and benefit of the people, and they have the right, at all times, to alter or reform the same, whenever the public good may require it.

25. I.

This enumeration of rights shall not be construed to impair or deny others, retained by the people.

KANSAS.**2. I.**

All political power is inherent in the people, and all free governments are founded on their authority, and are instituted for their equal protection and benefit. No special privileges or immunities shall ever be granted by the Legislature, which may not be altered, revoked or repealed by the same body; and this power shall be exercised by no other tribunal or agency.

19. I.

No hereditary emoluments, honors or privileges shall ever be granted or conferred by the State.

20. I.

This enumeration of rights shall not be construed to impair or deny others retained by the people; and all powers not

Sec. Art.

herein delegated remain with the people.

KENTUCKY.**3. I.**

All men, when they form a social compact, are equal; and no grant of exclusive, separate public emoluments or privileges shall be made to any man or set of men, except in consideration of public services, but no property shall be exempt from taxation except as provided in this Constitution; and every grant of a franchise, privilege or exemption shall remain subject to revocation, alteration or amendment.

4. I.

All power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety, happiness and the protection of property. For the advancement of these ends, they have at all times an inalienable and indefeasible right to alter, reform or abolish their government in such manner as they may deem proper.

23. I.

The General Assembly shall not grant any title of nobility or hereditary distinction, nor create any office, the appointment of which shall be for a longer time than a term of years.

24. I.

Emigration from the State shall not be prohibited.

MAINE.**2. I.**

All power is inherent in the people; all free governments are founded in their authority and instituted for their benefit; they have, therefore, an inalienable and indefeasible right to institute government, and to alter,

No Person to be Disfranchised.

Sec. Art.

reform or totally change the same, when their safety and happiness requires it.

23. I.

No title of nobility or hereditary distinction, privilege, honor or emolument shall ever be granted or confirmed, nor shall any office be created, the appointment to which shall be for a longer time than during good behavior.

MARYLAND.

1.

That all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole; and they have, at all times, the inalienable right to alter, reform or abolish their form of government, in such manner as they may deem expedient.

4.

That the people of this State have the sole and exclusive right of regulating the internal government and police thereof, as a free, sovereign and independent State.

27.

That no conviction shall work corruption of blood or forfeiture of estate.

35.

That no person shall hold, at the same time, more than one office of profit, created by the Constitution or laws of this State; nor shall any person in public trust receive any present from any foreign prince or state, or from the United States, or any of them, without the approbation of this State.

41.

That monopolies are odious, contrary to the spirit of a free government and the principles

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of commerce, and ought not to be suffered.

42.

That no title of nobility or hereditary honors ought to be granted in this State.

MASSACHUSETTS.

4.

The people of this commonwealth have the sole and exclusive right of governing themselves, as a free, sovereign and independent State; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction and right which is not, or may not hereafter be, by them expressly delegated to the United States of America, in Congress assembled.

5.

All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive or judicial, are their substitutes and agents, and are at all times accountable to them.

6.

No man, or corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public; and this title being in nature neither hereditary, nor transmissible to children, or descendants, or relations by blood, the idea of a man born a magistrate, lawgiver, or judge, is absurd and unnatural.

7.

Government is instituted for the common good; for the protection, safety, prosperity and hap-

No Person to be Disfranchised.

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piness of the people; and not for the profit, honor or private interest of any one man, family or class of men: Therefore, the people alone have an incontestible, unalienable and infeasible right to institute government; and to reform, alter or totally change the same, when their protection, safety, prosperity and happiness require it.

8.

A frequent recurrence to the fundamental principles of the Constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free government. The people ought, consequently, to have a particular attention to all those principles, in the choice of their officers and representatives; and they have power to require of their lawgivers and magistrates an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of the Commonwealth.

MINNESOTA.

1. I.

Government is instituted for the security, benefit and protection of the people, in whom all political power is inherent, together with the right to alter, modify or reform such government, whenever the public good may require it.

2. I.

No member of this State shall be disfranchised, or deprived of any of the rights or privileges secured to any citizen thereof, unless by the law of the land, or the judgment of his peers.

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There shall be neither slavery nor involuntary servitude in the State otherwise than in the punishment of crime, whereof the party shall have been duly convicted.

MISSISSIPPI.

5. III.

All political power is vested in and derived from the people; all government of right originates with the people, is founded upon their will only, and is instituted solely for the good of the whole.

6. III.

The people of this State have the inherent, sole and exclusive right to regulate the internal government and police thereof, and to alter and abolish their Constitution and form of government whenever they may deem it necessary to their safety and happiness: Provided, such change be not repugnant to the Constitution of the United States.

32. III.

The enumeration of rights in this Constitution shall not be construed to deny or impair others retained by and inherent in the people.

MISSOURI.

1. II.

That all political power is vested in and derived from the people; that all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.

2. II.

That the people of this State have the inherent, sole and exclusive right to regulate the internal government and police thereof, and to alter and abolish their Constitution and form of government whenever they may deem it necessary to their safety and happiness: Provided,

No Person to be Disfranchised.

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such change be not repugnant to the Constitution of the United States

5. II

The exercise of the police power of the State shall never be abridged or so construed as to permit corporations to conduct their business in such manner as to infringe the equal rights of individuals or the general well being of the State.

32. II

The enumeration in this Constitution of certain rights shall not be construed to deny, impair or disparage others retained by the people.

MONTANA.

1. III

All political power is vested in and derived from the people; all government of rights originates with the people; is founded upon their will only, and is instituted solely for the good of the whole people.

2. III

The people of the State have the sole and exclusive right of governing themselves, as a free, sovereign and independent State, and to alter and abolish their Constitution and form of government, whenever they may deem it necessary to their safety and happiness, provided such change be not repugnant to the Constitution of the United States.

30. III

The enumeration in this Constitution of certain rights shall not be construed to deny, impair or disparage others retained by the people.

NEVADA.

2. I

All political power is inherent in the people. Government is instituted for the protection, se-

Sec. Art.

curity and benefit of the people; and they have the right to alter or reform the same whenever the public good may require it. But the paramount allegiance of every citizen is due to the Federal government, in the exercise of all its Constitutional powers, as the same have been, or may be, defined by the Supreme Court of the United States, and no power exists in the people of this or any other State of the Federal Union to dissolve their connection therewith, or perform any act tending to impair, subvert or resist the supreme authority of the government of the United States. The Constitution of the United States confers full power on the Federal government to maintain and perpetuate its existence, and whensoever any portion of the States, or people thereof, attempt to secede from the Federal Union, or forcibly resist the execution of its laws, the Federal government may, by warrant of the Constitution, employ armed force in compelling obedience to its authority.

20. I

This enumeration of rights shall not be construed to impair or deny others retained by the people.

NEW HAMPSHIRE.

1.

All men are born equally free and independent; therefore all government of right originates from the people, is found in consent, and instituted for the general good.

2.

All men have certain natural essential and inherent rights; among which are the enjoying and defending life and liberty;

No Person to be Disfranchised.

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acquiring, possessing and protecting property; and, in a word, of seeking and obtaining happiness.

3.

When men enter into a state of society they surrender up some of their natural rights to that society in order to insure the protection of others; and without such an equivalent, the surrender is void.

7.

The people of this State have the sole and exclusive right of governing themselves, as a free, sovereign and independent State, and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction and right pertaining thereto which is not, or may not hereafter be, by them expressly delegated to the United States of America, in Congress assembled.

9.

No office or place whatsoever in government shall be hereditary, the abilities and integrity requisite in all not being transmissible to posterity or relations.

10.

Government being instituted for the common benefit, protection and security of the whole community, and not for the private interest or emolument of any one man, family or class of men, therefore, whenever the ends of government are perverted and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought to, reform the old or establish a new government. The doctrine of non-resistance against arbitrary power and oppression is absurd, slavish, and destructive

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of the good and happiness of mankind.

38.

A frequent recurrence to the fundamental principles of the Constitution, and a constant adherence to justice, moderation, temperance, industry, frugality and all the social virtues, are indispensably necessary to preserve the blessings of liberty and good government. The people ought therefore, to have a particular regard to all those principles in the choice of their officers and representatives; and they have a right to require of their lawgivers and magistrates an exact and constant observance of them in the formation and execution of the laws necessary for the good administration of government.

NEW JERSEY.

2. I.

All political power is inherent in the people. Government is instituted for the protection, security and benefit of the people, and they have the right, at all times, to alter or reform the same, whenever the public good may require it.

21. I.

This enumeration of rights and privileges shall not be construed to impair or deny others retained by the people.

NORTH CAROLINA.

2. I.

That all political power is vested in, and derived from, the people; all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.

3. I.

That the people of this State have the inherent, sole and exclusive

No Person to be Disfranchised.

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right of regulating the internal government and police thereof, and of altering and abolishing their Constitution and form of government whenever it may be necessary for their safety and happiness; but every such right should be exercised in pursuance of law, and consistently with the Constitution of the United States.

7. I.

No man or set of men are entitled to exclusive or separate emoluments or privileges from the community but in consideration of public services.

20. I.

A frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty.

30. I.

No hereditary emoluments, privileges or honors ought to be granted or conferred in this State.

31. I.

Perpetuities and monopolies are contrary to the genius of a free State, and ought not to be allowed.

15. II.

The General Assembly shall regulate entails in such manner as to prevent perpetuities.

5. IV.

Treason against the State shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court. No conviction of treason or attainder shall work corruption of blood or forfeiture.

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NORTH DAKOTA.

2. I.

All political power is inherent in the people. Government is instituted for the protection, security and benefit of the people, and they have a right to alter or reform the same whenever the public good may require.

20. I.

No special privileges or immunities shall ever be granted which may be altered, revoked or repealed by the Legislative Assembly; nor shall any citizen or class of citizens be granted privileges or immunities which upon the same terms shall not be granted to all citizens.

OHIO.

2. I.

All political power is inherent in the people. Government is instituted for their equal protection and benefit, and they have the right to alter, reform or abolish the same whenever they may deem it necessary; and no special privileges or immunities shall ever be granted that may not be altered, revoked or repealed by the General Assembly.

12. I.

No person shall be transported out of the State for any offense committed within the same; and no conviction shall work corruption of blood, or forfeiture of estate.

17. I.

No hereditary emoluments, honors or privileges shall ever be granted or conferred by this State.

20. I.

This enumeration of rights shall not be construed to impair or deny others retained by the people; and all powers, not herein delegated, remain with the people.

No Person to be Disfranchised.

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OREGON.**25. I.**

No conviction shall work corruption of blood or forfeiture of estate.

29. I.

No law shall be passed granting any title of nobility, or conferring hereditary distinctions.

30. I.

No law shall be passed prohibiting emigration from the State.

33. I.

This enumeration of rights and privileges shall not be construed to impair or deny others retained by the people.

PENNSYLVANIA.**2. I.**

All power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety and happiness. For the advancement of these ends they have at all times an inalienable and indefeasible right to alter, reform or abolish their government in such manner as they may think proper.

19 I.

No attainder shall work corruption of blood, nor, except during the life of the offender, forfeiture of estate to the Commonwealth. The estate of such persons as shall destroy their own lives shall descend or vest as in cases of natural death, and if any person shall be killed by casualty there shall be no forfeiture by reason thereof.

24 I.

The Legislature shall not grant any title of nobility or hereditary distinction, nor create any office, the appointment to which shall be for a longer term than during good behavior.

Sec. Art.

25 I.

Emigration from the State shall not be prohibited.

RHODE ISLAND.**1 I.**

In order effectually to secure the religious and political freedom established by our venerated ancestors, and to preserve the same for our posterity, we do declare that the essential and unquestionable rights and principles hereinafter mentioned shall be established, maintained and preserved, and shall be of paramount obligation in all legislative, judicial and executive proceedings.

In the words of the Father of His Country, we declare that "the basis of our political systems is the right of the people to make and alter their Constitutions of government; but that the Constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all."

23. I.

The enumeration of the foregoing rights shall not be construed to impair or deny others retained by the people.

SOUTH CAROLINA.**3. I.**

All political power is vested in and derived from the people only; therefore, they have the right, at all times, to modify their form of government in such manner as they may deem expedient, when the public good demands.

12. I.

No person shall be disfranchised for felony or other crimes committed while such person was a slave.

No Person to be Disfranchised.

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34. I.

Representation shall be apportioned according to population, and no person in this State shall be disfranchised or deprived of any of the rights or privileges now enjoyed, except by the law of the land or the judgment of his peers.

39. I.

No title of nobility or hereditary emolument shall ever be granted in this State. Distinction on account of race or color, in any case whatever, shall be prohibited, and all classes of citizens shall enjoy equally all common, public, legal and political privileges.

SOUTH DAKOTA.

26.

All political power is inherent in the people, and all free government is founded on their authority and is instituted for their equal protection and benefit, and they have the right in lawful and constituted methods to alter or reform their forms of government in such manner as they may think proper. And the State of South Dakota is an inseparable part of the American Union, and the Constitution of the United States is the supreme law of the land.

TENNESSEE.

1. I.

That all power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety and happiness; for the advancement of those ends they have, at all times, an unalienable and indefeasible right to alter, reform or abolish the government in such manner as they may think proper.

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12. I.

That no conviction shall work corruption of blood or forfeiture of estate. The estates of such persons as shall destroy their own lives shall descend or vest, as in case of natural death. If any person be killed by casualty, there shall be no forfeiture in consequence thereof.

29.

That an equal participation in the free navigation of the Mississippi is one of the inherent rights of the citizens of this State; it cannot, therefore, be conceded to any prince, potentate, power, person, or persons whatever.

30. I.

That no hereditary emoluments, privileges or honors shall ever be granted or conferred in this State.

TEXAS.

2. I.

All political power is inherent in the people, and all free governments are founded on their authority and instituted for their benefit. The faith of the people of Texas stands pledged to the preservation of a republican form of government, and, subject to this limitation only, they have at all times the inalienable right to alter, reform or abolish their government in such manner as they may think expedient.

3. I.

All free men when they form a social compact, have equal rights and no man or set of men is entitled to exclusive separate public emoluments or privileges, but in consideration of public services.

19. I.

No citizen of this State shall be deprived of life, liberty,

No Person to be Disfranchised.

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property, privileges or immunities, or in any manner disfranchised, except by the due course of the law of the land.

21. I.

No conviction shall work corruption of blood, or forfeiture of estate; and the estates of those who destroy their own lives shall descend or vest as in case of natural death.

26. I.

Perpetuities and monopolies are contrary to the genius of a free government, and shall never be allowed; nor shall the law of primogeniture or entailments ever be in force in this State.

VERMONT.

5.

That the people of this State, by their legal representatives, have the sole, inherent and exclusive right of governing and regulating the internal police of the same.

6.

That all power, being originally inherent in and consequently derived from the people, therefore, all officers of government, whether legislative or executive, are their trustees and servants, and at all times, in a legal way, accountable to them.

7.

That government is, or ought to be, instituted for the common benefit, protection and security of the people, nation or community, and not for the particular emolument or advantage of any single man, family or set of men, who are a part only of that community; and that the community hath an indubitable, unalienable and indefeasible right to reform or alter government in such manner as shall be,

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by that community, judged most conducive to the public weal.

18.

That frequent recurrence to fundamental principles, and a firm adherence to justice, moderation, temperance, industry and frugality are absolutely necessary to preserve the blessings of liberty, and keep government free; the people ought, therefore, to pay particular attention to these points, in the choice of officers and representatives, and have a right, in a legal way, to exact a due and constant regard to them, from their legislators and magistrates, in making and executing such laws as are necessary for the good government of the State.

19.

That all people have a natural and inherent right to emigrate from one State to another that will receive them.

36. (Ch. 2.)

The Legislature shall regulate entails in such manner as to prevent perpetuities.

42. (Ch. 2.)

The declaration of the political rights and privileges of the inhabitants of the State is hereby declared to be a part of the Constitution of this Commonwealth; and ought not to be violated on any pretense whatsoever.

VIRGINIA.

4. I.

That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.

6. I.

That no man or set of men are entitled to exclusive or separate emoluments or privileges from

No Person to be Disfranchised.

Sec. Art.

the community, but in consideration of public services; which, not being descendible, neither ought the offices of magistrate, legislator or judge to be hereditary.

20. I.

That all citizens of the State are hereby declared to possess equal civil and political rights.

21. I.

The rights enumerated in this bill of rights shall not be construed to limit other rights of the people not therein expressed.

The declaration of the political rights and privileges of the inhabitants of this State is hereby declared to be a part of the Constitution of this Commonwealth, and shall not be violated on any pretense whatever.

WASHINGTON.

1. I.

All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.

12. I.

No law shall be passed granting to any citizen, class of citizens, or corporation other than municipal, privileges or immunities which upon the same terms shall not equally belong to all citizens or corporations.

15. I.

No conviction shall work corruption of blood, nor forfeiture of estate.

28. I.

No hereditary emoluments, privileges or powers shall be granted or conferred in this State.

30. I.

The enumeration in this Constitution of certain rights shall not

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be construed to deny others retained by the people.

32. I.

A frequent recurrence to fundamental principles is essential to the security of individual right and the perpetuity of free government.

WEST VIRGINIA.

2. III.

All power is vested in, and consequently derived from, the people. Magistrates are their trustees and servants, and at all times amenable to them.

3. III.

Government is instituted for the common benefit, protection and security of the people, nation or community. Of all its various forms that is the best, which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of maladministration; and when any government shall be found inadequate or contrary to these purposes, a majority of the community has an indubitable, inalienable and indefeasible right to reform, alter or abolish it in such manner as shall be judged most conducive to the public weal.

4. II.

Every citizen shall be entitled to equal representation in the government, and, in all apportionments of representation, equality of number of those entitled thereto shall, as far as practicable, be preserved.

12. IV.

No citizen shall ever be denied or refused the right or privilege of voting at an election, because his name is not, or has not been registered or listed as a qualified voter.

No Person to be Disfranchised.

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18. III.

No conviction shall work corruption of blood or forfeiture of estate.

19. III.

No hereditary emoluments, honors or privileges shall ever be granted or conferred in this State.

WYOMING.

1. I.

All power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety and happiness; for the advancement of these ends they have at all times an inalienable and indefeasible right to alter, reform or abolish the government in such manner as they may think proper.

2. I.

In their inherent right to life, liberty and the pursuit of happiness, all members of the human race are equal.

3. I.

Since equality in the enjoyment of natural and civil rights is made sure only through politi-

Sec. Art.

cal equality, the laws of this State affecting the political rights and privileges of its citizens shall be without distinction of race, color, sex or any circumstance or condition whatsoever other than individual incompetency, or unworthiness duly ascertained by a court of competent jurisdiction.

7. I.

Absolute, arbitrary power over the lives, liberty and property of freemen exists nowhere in a republic, not even in the largest majority.

30. I.

Perpetuities and monopolies are contrary to the genius of a free State, and shall not be allowed. Corporations being creatures of the State, endowed for the public good with a portion of its sovereign powers, must be subject to its control.

36. I.

The enumeration in this Constitution of certain rights shall not be construed to deny, impair or disparage others retained by the people.

Trial by Jury.

TRIAL BY JURY.

1 Sec. 2. The trial by jury in all cases in which it has
 2 been heretofore used shall remain inviolate forever; but a jury
 3 trial may be waived by the parties in all civil cases in the manner
 4 to be prescribed by law.

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ALABAMA.

12. I.

That the right of trial by jury shall remain inviolate.

14. I.

That all courts shall be open; and that every person, for any injury done him in his lands, goods, person or reputation, shall have a remedy by due process of law; and right and justice shall be administered without sale, denial or delay.

ARKANSAS.

7. II.

The right of trial by jury shall remain inviolate, and shall extend to all cases at law without regard to the amount in controversy; but a jury trial may be waived by the parties in all cases in the manner prescribed by law.

10. II.

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the county in which the crime shall have been committed, provided that the venue may be changed to any other county of the judicial district in which the indictment is found, upon the application of the accused, in such manner as now is, or may be, prescribed by

Sec. Art.

law; and to be informed of the nature and cause of the accusation against him, and to have a copy thereof; and to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to be heard by himself and his counsel.

13. II.

Every person is entitled to a certain remedy in the laws for all injuries or wrongs he may receive in his person, property or character; he ought to obtain justice freely, and without purchase, completely and without denial, promptly and without delay, conformably to the laws.

CALIFORNIA.

7. I.

The right of trial by jury shall be secured to all, and remain inviolate; but in civil actions three-fourths of the jury may render a verdict. A trial by jury may be waived in all criminal cases not amounting to felony, by the consent of both parties, expressed in open court, and in civil actions by the consent of the parties, signified in such manner as may be prescribed by law. In civil actions and cases of misdemeanor, the jury may consist of twelve, or of any number less

Trial by Jury.

Sec. Art.

than twelve upon which the parties may agree in open court.

COLORADO.**6. II.**

The courts of justice shall be open to every person, and a speedy remedy afforded for every injury to person, property or character; and that right and justice should be administered without sale, denial or delay.

23. II.

The right of trial by jury shall remain inviolate in criminal cases; but a jury in civil cases in all courts, or in criminal cases in courts not of record, may consist of less than twelve men, as may be prescribed by law. Hereafter a grand jury shall consist of twelve men, any nine of whom concurring may find an indictment: Provided, The General Assembly may change, regulate or abolish the grand jury system.

CONNECTICUT.**12. I.**

All courts shall be open, and every person, for an injury done to him in his person, property or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay.

21. I.

The right of trial by jury shall remain inviolate.

DELAWARE.**4. I.**

Trial by jury shall be as heretofore.

9. I.

All courts shall be open; and every man, for an injury done him in his reputation, person moveable or immoveable posses-

Sec. Art.

sion, shall have remedy by the due course of law, and justice administered according to the very right of the cause and the law of the land, without sale, denial, or unreasonable delay or expense; and every action shall be tried in the county in which it shall be commenced, unless when the judges of the court in which the cause is to be tried shall determine that an impartial trial therefor cannot be had in that county. Suits may be brought against the State, according to such regulations as shall be made by law.

FLORIDA.**3. I.**

The right of trial by jury shall be secured to all, and remain inviolate forever.

4. I.

All courts in this State shall be open, so that every person for any injury done him in his lands, goods, person or reputation shall have remedy, by due course of law, and right and justice shall be administered without sale, denial or delay.

GEORGIA.**1. I.**

Par. V. Every person charged with an offense against the laws of this State shall have the privilege and benefit of counsel; shall be furnished, on demand, with a copy of the accusation, and a list of the witnesses on whose testimony the charge against him is founded; shall have compulsory process to obtain the testimony of his own witnesses; shall be confronted with the witnesses testifying against him, and shall have a public and speedy trial by an impartial jury.

Trial by Jury.

Sec. Art.

18. VI.

The right of trial by jury, except where it is otherwise provided in this Constitution, shall remain inviolate, but the General Assembly may prescribe any number, not less than five, to constitute a trial or traverse jury in courts other than the Superior and City Courts.

IDAHO.

7. I.

The right of trial by jury shall remain inviolate; but in civil actions three-fourths of the jury may render a verdict, and the Legislature may provide that in all cases of misdemeanors five-sixths of the jury may render a verdict. A trial by jury may be waived in all criminal cases not amounting to felony by the consent of both parties, expressed in open court, and in civil actions by the consent of the parties, signified in such manner as may be prescribed by law. In civil actions and cases of misdemeanor the jury may consist of twelve, or of any number less than twelve, upon which the parties may agree in open court.

18. I.

Courts of justice shall be open to every person, and a speedy remedy afforded for every injury of person, property or character, and right and justice shall be administered without sale, denial, delay or prejudice.

ILLINOIS.

5. II.

The right of trial by jury, as heretofore enjoyed, shall remain inviolate; but the trial of civil cases before justices of the peace, by a jury of less than twelve men, may be authorized by law.

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19. II.

Every person ought to find a certain remedy in the laws for all injuries and wrongs which he may receive in his person, property or reputation; he ought to obtain, by law, right and justice freely, and without being obliged to purchase it, completely and without denial, promptly and without delay.

INDIANA.

12. I.

All courts shall be open; and every man, for injury done to him in his person, property or reputation, shall have due course of law. Justice shall be administered freely and without purchase; completely, and without denial; speedily, and without delay.

19. I.

In all criminal cases whatever, the jury shall have the right to determine the law and the facts.

20. I.

In all civil cases the right of trial by jury shall remain inviolate.

IOWA.

9. I.

The right of trial by jury shall remain inviolate; but the General Assembly may authorize trial by jury of a less number than twelve men in inferior courts; but no person shall be deprived of life, liberty or property without due process of law.

KANSAS.

5. I.

The right of trial by jury shall be inviolate.

18. I.

All persons, for injuries suffered in person, reputation or property shall have remedy by due course

Trial by Jury.

Sec. Art.

of law, and justice administered without delay.

KENTUCKY.**14. I.**

All courts shall be open, and every person for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay.

LOUISIANA.**7.**

In all criminal prosecutions, the accused shall enjoy the right to a speedy public trial by an impartial jury, except that, in cases where the penalty is not necessarily imprisonment at hard labor or death, the General Assembly may provide for the trial thereof by a jury less than twelve in number: Provided, That the accused in every instance shall be tried in the parish wherein the offense shall have been committed, except in cases of change of venue.

MAINE.**19. I.**

Every person, for an injury done him in his person, reputation, property or immunities, shall have remedy by due course of law; and right and justice shall be administered freely and without sale, completely and without denial, promptly and without delay.

20. I.

In all civil suits, and in all controversies concerning property, the parties shall have a right to a trial by jury, except in cases where it has heretofore been otherwise practiced; the party claiming the right may be heard by himself and his counsel, or either, at his election.

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MARYLAND.**5.**

That the inhabitants of Maryland are entitled to the common law of England, and the trial by jury, according to the course of that law, and to the benefit of such of the English statutes as existed on the fourth day of July, seventeen hundred and seventy-six; and which, by experience, have been found applicable to their local and other circumstances, and have been introduced, used and practiced by the courts of law and equity; and also of all acts of Assembly in force on the first day of June, eighteen hundred and sixty-seven; except such as may have since expired, or may be inconsistent with the provisions of this Constitution; subject, nevertheless, to the revision of, and amendment or repeal by, the Legislature of this State. And the inhabitants of Maryland are also entitled to all property derived to them from, or under the charter granted by His Majesty Charles the First to Caecilius Calvert, Baron of Baltimore.

5. XV.

In the trial of criminal cases, the jury shall be the judges of law, as well as of fact.

6. XV.

The right of trial by jury of all issues of fact in civil proceedings in the several courts of law in this State, where the amount in controversy exceeds the sum of five dollars, shall be inviolably preserved.

19.

That every man, for any injury done to him in his person or property, ought to have remedy by the course of the law of the land, and ought to have justice and right, freely without sale,

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fully without any denial, and speedily without delay, according to the law of the land.

20.

That the trial of facts, where they arise, is one of the greatest securities of the lives, liberties and estate of the people.

MASSACHUSETTS.

11. I.

Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property or character. He ought to obtain right and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.

15. I.

In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherwise used and practiced, the parties have a right to a trial by jury; and this method of procedure shall be held sacred, unless, in causes arising on the high seas, and such as relate to mariners' wages, the Legislature shall hereafter find it necessary to alter it.

MICHIGAN.

43. IV.

The Legislature may authorize a trial by jury of a less number than twelve men.

27. VI.

The right of trial by jury shall remain, but shall be deemed to be waived in all civil cases, unless demanded by one of the parties in such manner as shall be prescribed by law.

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28. VI.

In every criminal prosecution the accused shall have the right to a speedy and public trial by an impartial jury, which may consist of less than twelve men in all courts not of record; to be informed of the nature of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and have the assistance of counsel for his defense.

MINNESOTA.

4. I.

The right of trial by jury shall remain inviolate, and shall extend to all cases at law without regard to the amount in controversy, but a jury trial may be waived by the parties in all cases, in the manner prescribed by law; and the Legislature may provide that the agreement of five-sixths of any jury in any civil action or proceeding, after not less than six (6) hours deliberation, shall be a sufficient verdict therein.

8. I.

Every person is entitled to a certain remedy in the laws for all injuries or wrongs which he may receive in his person, property or character; he ought to obtain justice freely and without purchase; completely and without denial; promptly and without delay, conformably to the laws.

MISSISSIPPI.

24. III.

All courts shall be open; and every person for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice shall be administered without sale, denial or delay.

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31. III.

The right of trial by jury shall remain inviolate.

MISSOURI.

28. II.

The right of trial by jury, as heretofore enjoyed, shall remain inviolate; but a jury for the trial of criminal or civil cases, in courts not of record, may consist of less than twelve men, as may be prescribed by law. Hereafter, a grand jury shall consist of twelve men, any nine of whom concurring may find an indictment or a true bill.

MONTANA.

6. III.

Courts of justice shall be open to every person, and a speedy remedy afforded for every injury of person, property or character; and that right and justice shall be administered without sale, denial or delay.

23. III.

The right of trial by jury shall be secured to all, and remain inviolate, but in all civil cases and in all criminal cases not amounting to felony, upon default of appearance or by consent of the parties expressed in such manner as the law may prescribe, a trial by jury may be waived, or a trial had by any less number of jurors than the number provided by law. A jury in a justices court, both in civil cases and in cases of criminal misdemeanor, shall consist of not more than six persons. In all civil actions and in all criminal cases not amounting to felony, two-thirds in number of the jury may render a verdict, and such verdict so rendered shall have the same force and effect as if all of such jury concurred therein.

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NEBRASKA.

6. I.

The right of trial by jury shall remain inviolate, but the Legislature may authorize trial by jury of a less number than twelve men, in courts inferior to the District Court.

13. I.

All courts shall be open, and every person, for any injury done him in his lands, goods, person or reputation shall have a remedy by due course of law, and justice administered without denial or delay.

NEVADA.

3. I.

The right of trial by jury shall be secured to all, and remain inviolate forever; but a jury trial may be waived by the parties in all civil cases, in the manner to be prescribed by law; and in civil cases, if three-fourths of the jurors agree upon a verdict, it shall stand and have the same force and effect as a verdict by the whole jury: Provided, The Legislature, by a law passed by a two-thirds vote of all the members elected to each branch thereof, may require a unanimous verdict, notwithstanding this provision.

NEW HAMPSHIRE.

14.

Every subject of this State is entitled to a certain remedy, by having recourse to the laws, for all injuries he may receive in his person, property or character; to obtain right and justice freely, without being obliged to purchase it; completely, and without any denial; promptly, and without any delay; conformable to the laws.

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17.

In criminal prosecutions, the trial of facts in the vicinity where they happen is so essential to the security of the life, liberty and estate of the citizen, that no crime or offense ought to be tried in another county than in which it is committed, except that in cases of general insurrection in any particular county, when it shall appear to the judges of the Superior Court that an impartial trial cannot be had in the county where the offense may be committed, and, upon their report, the Legislature shall think proper to direct the trial in the nearest county in which an impartial trial can be obtained.

20.

In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has been heretofore otherwise used and practiced, and except in cases in which the value in controversy does not exceed one hundred dollars and title of real estate is not concerned, the parties have a right to trial by jury; and this method of procedure shall be held sacred, unless, in cases arising on the high seas and such as relate to mariners' wages, the Legislature shall think it necessary hereafter to alter it.

21.

In order to reap the fullest advantage of the inestimable privilege of trial by jury, great care ought to be taken that none but qualified persons should be appointed to serve; and such ought to be fully compensated for their travel, time and attendance.

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NEW JERSEY.

7. I.

The right of a trial by jury shall remain inviolate; but the Legislature may authorize the trial of civil suits, when the matter in dispute does not exceed fifty dollars, by a jury of six men.

NORTH CAROLINA.

13. I.

No person shall be convicted of any crime but by the unanimous verdict of a jury of good and lawful men in open court. The Legislature may, however, provide other means of trial for petty misdemeanors, with the right of appeal.

19. I.

In all controversies at law respecting property, the ancient mode of trial by jury is one of the best securities of the rights of the people, and ought to remain sacred and inviolable.

35. I.

All courts shall be open; and every person for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay.

NORTH DAKOTA.

7. I.

The right of trial by jury shall be secured to all, and remain inviolate; but a jury in civil cases, in courts not of record, may consist of less than twelve men, as may be prescribed by law.

22. I.

All courts shall be open, and every man for an injury done him in his lands, goods, person or reputation shall have remedy by due process of law, and right and justice administered without sale, denial or delay. Suits may be brought against the

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State in such manner, in such courts, and in such cases, as the Legislative Assembly may by law direct.

OHIO.

5. I.
The right of trial by jury shall be inviolate.

16. I.
All courts shall be open, and every person, for an injury done him in his land, goods, person or reputation, shall have remedy by due course of law; and justice administered without denial or delay.

OREGON.

10. I.
No court shall be secret, but justice shall be administered openly and without purchase, completely and without delay, and every man shall have remedy by due course of law for injury done him in person, property or reputation.

17. I.
In all cases the right of trial by jury shall remain inviolate.

PENNSYLVANIA.

6. I.
Trial by jury shall be as heretofore, and the right thereof remain inviolate.

11. I.
All courts shall be open; and every man for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law, and right and justice administered without sale, denial or delay. Suits may be brought against the Commonwealth in such manner, in such courts, and in such cases as the Legislature may by law direct.

RHODE ISLAND.

5. I.
Every person within this State ought to find a certain remedy,

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by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property or character. He ought to obtain right and justice freely and without purchase, completely and without denial; promptly and without delay; conformably to the laws.

15. I.
The right of trial by jury shall remain inviolate.

SOUTH CAROLINA.

11. I.
The right of trial by jury shall remain inviolate.

15. I.
All courts shall be public, and every person, for any injury that he may receive in his lands, goods, person or reputation, shall have remedy by due course of law, and justice administered without unnecessary delay.

SOUTH DAKOTA.

6. IV.
The right of trial by jury shall remain inviolate, and shall extend to all cases at law without regard to the amount in controversy, but the Legislature may provide for a jury of less than twelve in any court not a court of record, and for the decision of civil cases by three-fourths of the jury in any court.

20. VI.

All courts shall be open, and every man for an injury done him in his property, person or reputation, shall have remedy by due course of law, and right and justice administered without denial or delay.

TENNESSEE.

6. I.
That the right of trial by jury shall remain inviolate, and no religious or political test shall

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ever be required as a qualification for jurors.

15. I.

The right of trial by jury shall remain inviolate. The Legislature shall pass such laws as may be needed to regulate the same, and to maintain its purity and efficiency.

VERMONT.

4.

Every person within this State ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property or character; he ought to obtain right and justice, freely and without being obliged to purchase it, completely and without any denial, promptly and without delay, conformably to the laws.

4 (Ch. 2.)

Courts of justice shall be maintained in every county in this State, and also in new counties when formed; which courts shall be open for the trial of all causes proper for their cognizance; and justice shall be therein impartially administered without corruption or unnecessary delay. The judges of the Supreme Court shall be justices of the peace throughout the State; and the several judges of the County Courts, in their respective counties, by virtue of their office, except in the trial of such causes as may be appealed to the County Court.

12.

That when any issue in fact, proper for the cognizance of a jury, is joined in a court of law, the parties have a right to trial by jury, which ought to be held sacred.

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21.

That no person shall be liable to be transported out of this State for trial for any offense committed within the same.

31. (Ch. 2.)

Trials of issues, proper for the cognizance of a jury, in the Supreme and County Courts, shall be by jury, except where parties otherwise agree; and great care ought to be taken to prevent corruption or partiality in the choice and return or appointment of jurors.

WASHINGTON.

10. I.

Justice in all cases shall be administered openly and without unnecessary delay.

21. I.

The right of trial by jury shall remain inviolate, but the Legislature may provide for a jury of any number less than twelve in courts not of record, and for a verdict by nine or more jurors in civil cases in any court of record, and for waiving of the jury in civil cases where the consent of the parties interested is given thereto.

WEST VIRGINIA.

13. III.

(As amended — see Acts 1879, p. 182.) In suits at common law, where the value in controversy exceeds twenty dollars exclusive of interest and costs, the right of trial by jury, if required by either party, shall be preserved; and in such suit before a justice a jury may consist of six persons. No fact tried by a jury shall be otherwise re-examined in any case than according to the rules of the common law.

14. III.

Trials of crimes, and of misde-

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meanors, unless herein otherwise provided, shall be by a jury of twelve men, public without unreasonable delay, and in the county where the alleged offense was committed, unless upon petition of the accused, and for good cause shown, it is removed to some other county. In all such trials the accused shall be fully and plainly informed of the character and cause of the accusation, and be confronted with the witnesses against him, and shall have the assistance of counsel, and a reasonable time to prepare for his defense; and there shall be awarded to him compulsory process for obtaining witnesses in his favor.

17. III.

The courts of this State shall be open, and every person, for an injury done to him, in his person, property or reputation, shall have remedy by due course of law; and justice shall be administered without sale, denial or delay.

WISCONSIN.

5. I.

The right of trial by jury shall remain inviolate, and shall extend to all cases at law, without regard to the amount in controversy; but a jury trial may be waived by the parties in all cases in the manner prescribed by law.

9. II.

Every person is entitled to a certain remedy in the laws, for all injuries or wrongs he may receive in his person, property or character; he ought to obtain justice freely, and without being obliged to purchase it, completely and without denial, promptly and without delay, conformably to the laws.

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WYOMING.

4. IX.

For any injury to person or property caused by wilful failure to comply with the provisions of this article, or laws passed in pursuance hereof, a right of action shall accrue to the party injured, for the damage sustained thereby, and in all cases in this State, whenever the death of a person shall be caused by wrongful act, neglect or default, such as would, if death had not ensued, have entitled the party injured to maintain an action to recover damages in respect thereof, the person who or the corporation which would have been liable, if death had not ensued, shall be liable for an action for damages notwithstanding the death of the person injured, and the Legislature shall provide by law at its first session for the manner in which the right of action in respect thereto shall be enforced.

8. I.

All courts shall be open and every person for an injury done to person, reputation or property shall have justice administered without sale, denial or delay. Suit; may be brought against the State in such manner and in such courts as the Legislature may by law direct.

9. I.

The right of trial by jury shall remain inviolate in criminal cases, but a jury in civil cases in all courts, or in criminal cases in courts not of record, may consist of less than twelve men, as may be prescribed by law. Hereafter a grand jury may consist of twelve men, any nine of whom concurring may find an indictment, but the Legislature may change, regulate or abolish the grand jury system.

Religious Liberty.

RELIGIOUS LIBERTY.

1 Sec. 3. The free exercise and enjoyment of religious pro-
 2 fession and worship, without discrimination or preference, shall
 3 forever be allowed in this State to all mankind; and no
 4 person shall be rendered incompetent to be a witness on account
 5 of his opinions on matters of religious belief; but the liberty
 6 of conscience hereby secured shall not be so construed as to
 7 excuse acts of licentiousness, or justify practices inconsistent
 8 with the peace or safety of this State.

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ALABAMA.**4 I.**

That no religion shall be estab-
 lished by law; that no prefer-
 ence shall be given by law to
 any religious sect, society, de-
 nomination or mode of worship;
 that no one shall be compelled
 by law to attend any place of
 worship, nor to pay any tithes,
 taxes or other rate for the
 building or repairing any place
 of worship, or for maintaining
 any minister or ministry; that
 no religious test shall be re-
 quired as a qualification to any
 office or public trust, under this
 State; and that the civil rights,
 privileges and capacities of any
 citizens shall not be in any
 manner affected by his religious
 principles.

8. XIII.

No money raised for the support
 of the public schools of the
 State shall be appropriated to
 or used for the support of any
 sectarian or denominational
 school.

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ARKANSAS.**1.**

No person who denies the being
 of a God shall hold any office
 in the civil departments of this
 State, nor be competent to tes-
 tify as a witness in any court.

24. II.

All men have a natural and inde-
 feasible right to worship Al-
 mighty God according to the dic-
 tates of their own consciences;
 no man can, of right, be com-
 pelled to attend, erect or sup-
 port any place of worship; or to
 maintain any ministry against
 his consent. No human author-
 ity can, in any case or manner
 whatsoever, control or interfere
 with the right of conscience; and
 no preference shall ever be given
 by law to any religious estab-
 lishment, denomination or mode
 of worship above any other.

25. II.

Religion, morality and knowledge
 being essential to good govern-
 ment, the General Assembly
 shall enact suitable laws to pro-

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tect every religious denomination in the peaceable enjoyment of its own mode of public worship.

26. II.

No religious test shall ever be required of any person as a qualification to vote or hold office, nor shall any person be rendered incompetent to be a witness on account of his religious belief; but nothing herein shall be construed to dispense with oaths or affirmations.

CALIFORNIA.

4. I.

The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be guaranteed in this State; and no person shall be rendered incompetent to be a witness or juror on account of his opinions on matters of religious belief; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of this State.

30. IV.

Neither the Legislature, nor any county, city and county, township, school district, or other municipal corporation, shall ever make an appropriation, or pay from any public fund whatever, or grant anything to or in aid of any religious sect, church, creed or sectarian purpose, or help to support or sustain any school, college, university, hospital, or other institution controlled by any religious creed, church or sectarian denomination whatever; nor shall any grant or donation of personal property or real estate ever be made by the State, or any city, city and county, town or other municipi-

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pal corporation, for any religious creed, church or sectarian purpose whatever: Provided, That nothing in this section shall prevent the Legislature granting aid pursuant to section twenty-two of this article.

COLORADO.

4. II.

The free exercise and enjoyment of religious profession and worship, without discrimination, shall forever hereafter be guaranteed; and no person shall be denied any civil or political right, privilege or capacity, on account of his opinions concerning religion; but the liberty of conscience hereby secured shall not be construed to dispense with oaths or affirmations, excuse acts of licentiousness, or justify practices inconsistent with the good order, peace or safety of the State. No person shall be required to attend or support any ministry or place of worship, religious sect, or denomination, against his consent. Nor shall any preference be given by law to any religious denomination or mode of worship.

7. IX.

Neither the General Assembly, nor any county, city, town, township, school district or other public corporation, shall ever make any appropriation, or pay from any public fund or moneys whatever, anything in aid of any church or sectarian society, or for any sectarian purpose, or to help support or sustain any school, academy, seminary, college, university or other literary or scientific institution, controlled by any church or sectarian denomination whatsoever; nor shall any grant or donation of land, money or

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other personal property, ever be made by the State, or any such public corporation, to any church or for any sectarian purpose.

8. IX.

No religious test or qualification shall ever be required of any person as a condition of admission into any public educational institution of this State, either as teacher or student; and no teacher or student of any such institution shall ever be required to attend, or participate in, any religious service whatever. No sectarian tenets or doctrines shall ever be taught in the public schools, nor shall any distinction or classification of pupils be made on account of race or color.

CONNECTICUT.

3. I.

The exercise and enjoyment of religious profession and worship, without discrimination, shall forever be free to all persons in this State, provided that the right hereby declared and established shall not be so construed as to excuse acts of licentiousness, or to justify practices inconsistent with the peace and safety of the State.

4. I.

No preference shall be given by law to any Christian sect or mode of worship.

1. VII.

It being the duty of all men to worship the Supreme Being, the Great Creator and Preserver of the Universe, and their right to render that worship in the mode most consistent with the dictates of their consciences, no person shall by law be compelled to join or support, nor be classed with, or associated to, any congregation, church or religious

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association. But every person now belonging to such congregation, church or religious association, shall remain a member thereof until he shall have separated himself therefrom in the manner hereinafter provided. And each and every society or denomination of Christians in this State shall have and enjoy the same and equal powers, rights and privileges; and shall have power and authority to support and maintain the ministers and teachers of their respective denominations, and to build and repair houses for public worship by a tax on the members of any such society only, to be laid by a major vote of the legal voters assembled at any society meeting, warned and held according to law, or in any other manner.

DELAWARE.

1. I.

Although it is the duty of all men frequently to assemble together for the public worship of the author of the universe; and piety and morality, on which the prosperity of communities depends, are thereby promoted, yet no man shall or ought to be compelled to attend any religious worship, to contribute to the erection or support of any place of worship, or to the maintenance of any ministry, against his own free will and consent; and no power shall or ought to be vested in or assumed by any magistrate, that shall in any case interfere with, or in any manner control the rights of conscience, in the free exercise of religious worship, nor a preference given by law to any religious societies, denominations or modes of worship.

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2. I.

No religious test shall be required as a qualification to any office, or public trust, under this State.

FLORIDA.

5.

The free exercise and enjoyment of religious profession and worship shall forever be allowed in this State, and no person shall be rendered incompetent as a witness on account of his religious opinions; but the liberty of conscience hereby secured shall not be so construed as to justify licentiousness or practices subversive of, or inconsistent with, the peace or moral safety of the State or society.

6.

No preference shall be given by law to any church, sect or mode of worship, and no money shall ever be taken from the public treasury, directly or indirectly, in aid of any church, sect or religious denomination, or in aid of any sectarian institution.

GEORGIA.

12. I.

All men have the natural and inalienable right to worship God, each according to the dictates of his own conscience, and no human authority should in any case control or interfere with such right of conscience.

13. I.

No inhabitant of this State shall be molested in person or property, or prohibited from holding any office of trust, on account of his religious opinions; but the right of liberty of conscience shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the State.

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14. I.

No money shall ever be taken from the public treasury, directly or indirectly, in aid of any church sect or denomination of religionists, or of any sectarian institution.

IDAHO.

4. I.

The exercise and enjoyment of religious faith and worship shall forever be guaranteed; and no person shall be denied any civil or political right, privilege, or capacity on account of his religious opinions; but the liberty of conscience hereby secured shall not be construed to dispense with oaths or affirmations, or excuse acts of licentiousness or justify polygamous or other pernicious practices. Inconsistent with morality or the peace or safety of the State; nor to permit any person, organization, or association to directly or indirectly aid or abet, counsel or advise, any person to commit the crime of bigamy or polygamy, or any other crime. No person shall be required to attend or support any ministry or place of worship, religious sect or denomination, or pay tithes against his consent; nor shall any preference be given by law to any religious denomination or mode of worship. Bigamy and polygamy are forever forbidden in this State, and the Legislature shall provide by law for the punishment of such crimes.

5. IX.

Neither the Legislature, nor any county, city, town, township, school district, or other public corporation, shall ever make any appropriation, or pay from any public fund or moneys whatever, anything in aid of any church or sectarian, or re-

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ligious society, or for any sectarian or religious purpose, or to help support or sustain any school, academy, seminary, college, university or other literary or scientific institution, controlled by any church or sectarian or religious denomination whatsoever; nor shall any grant or donation of land, money or other personal property ever be made by the State, or any such public corporation, to any church or for any sectarian or religious purpose.

6. IX.

No religious test or qualification shall ever be required of any person as a condition of admission into any public educational institution of the State, either as teacher or student; and no teacher or student of any such institution shall ever be required to attend or participate in any religious service whatever. No sectarian or religious tenets or doctrines shall ever be taught in the public schools, nor shall any distinction or classification of pupils be made on account of race or color. No books, papers, tracts or documents of a political, sectarian or denominational character shall be used or introduced in any schools established under the provisions of this article, nor shall any teacher or any district receive any of the public school moneys in which the schools have not been taught in accordance with the provisions of this article.

ILLINOIS.

3. II.

The free exercise and enjoyment of religious profession and worship, without discrimination, shall forever be guaranteed;

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and no person shall be denied any civil or political right, privilege or capacity on account of his religious opinions; but the liberty of conscience hereby secured shall not be construed to dispense with oaths or affirmations, excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of the State. No person shall be required to attend or support any ministry or place of worship against his consent, nor shall any preference be given by law to any religious denomination or mode of worship.

INDIANA.

2. I.

All men shall be secured in their natural right to worship Almighty God according to the dictates of their own conscience.

3. I.

No law shall, in any case whatever, control the free exercise and enjoyment of religious opinions, or interfere with the rights of conscience.

4. I.

No preference shall be given, by law, to any creed, religious society or mode of worship; and no man shall be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent.

5. I.

No religious test shall be required as a qualification for any office of trust or profit.

6. I.

No money shall be drawn from the treasury for the benefit of any religious or theological institution.

7. I.

No person shall be rendered incompetent as a witness, in con-

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sequence of his opinions on matters of religion.

IOWA.**3. I.**

The General Assembly shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; nor shall any person be compelled to attend any place of worship, pay tithes, taxes or other rates for building or repairing places of worship, or the maintenance of any minister, or ministry.

4. I.

No religious test shall be required as a qualification for any office, or public trust, and no person shall be deprived of any of his rights, privileges or capacities, or disqualified from the performance of any of his public or private duties, or rendered incompetent to give evidence in any court of law or equity, in consequence of his opinions on the subject of religion; and any party to any judicial proceeding shall have the right to use as a witness, or take the testimony of, any other person not disqualified on account of interest, who may be cognizant of any fact material to the case; and parties to suits may be witnesses, as provided by law.

KANSAS.**7. I.**

The right to worship God according to the dictates of conscience shall never be infringed; nor shall any person be compelled to attend or support any form of worship; nor shall any control of, or interference with the rights of conscience be permitted, nor any preference be given by law to any religious establishment or mode of worship. No religious test or property

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qualification shall be required for any office of public trust, nor for any vote at any election, nor shall any person be incompetent to testify on account of religious belief.

6. VI.

No religious sect or sects shall ever control any part of the common school or university funds of the State.

KENTUCKY.

That the great and essential principles of liberty and free government may be recognized and established, we declare that:

Section 1. All men are, by nature, free and equal, and have certain inherent rights, among which may be reckoned:

First — The right of enjoying and defending their lives and liberties.

Second — The right of worshipping Almighty God according to the dictates of their consciences.

Third — The right of seeing and pursuing their safety and happiness.

Fourth — The right of freely communicating their thoughts and opinions.

Fifth — The right of acquiring and protecting property.

Sixth — The right of assembling together in a peaceable manner for their common good, and of applying to those invested with the power of government for redress of grievances or other proper purposes, by petition, address or remonstrance.

Seventh — The right to bear arms in defense of themselves and of the State, subject to the power of the General Assembly to enact laws to prevent persons from carrying concealed weapons.

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5.

No preference shall ever be given by law to any religious sect, society or denomination; nor to any particular creed, mode of worship or system of ecclesiastical polity; nor shall any person be compelled to attend any place of worship, to contribute to the erection or maintenance of any such place, or to the salary or support of any minister of religion; nor shall any man be compelled to send his child to any school to which he may be conscientiously opposed; and the civil rights, privileges or capacities of no person shall be taken away, or in anywise diminished or enlarged, on account of his belief or disbelief of any religious tenet, dogma or teaching. No human authority shall, in any case whatever, control or interfere with the rights of conscience.

189.

No portion of any fund or tax now existing, or that may hereafter be raised or levied for educational purposes, shall be appropriated to, or used by, or in aid of, any church, sectarian or denominational school.

MAINE.

3. I.

All men have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences, and no one shall be hurt, molested or restrained in his person, liberty or estate for worshipping God in the manner and season most agreeable to the dictates of his own conscience, nor for his religious professions or sentiments, provided he does not disturb the public peace, nor obstruct others in their religious

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worship; and all persons demeaning themselves peaceably as good members of the State shall be equally under the protection of the laws, and no subordination nor preference of any one sect or denomination to another shall ever be established by law, nor shall any religious test be required as a qualification for any office or trust, under this State; and all religious societies in this State, whether incorporate or unincorporate, shall at all times have the exclusive right of electing their public teachers, and contracting with them for their support and maintenance.

MARYLAND.

36.

That as it is the duty of every man to worship God in such manner as he thinks most acceptable to Him, all persons are equally entitled to protection in their religious liberty; wherefore, no person ought by any law to be molested in his person or estate on account of his religious persuasion or profession, or for his religious practice, unless, under the color of religion, he shall disturb the good order, peace or safety of the State; or shall infringe the laws of morality, or injure others in their natural, civil or religious rights; nor ought any person to be compelled to frequent, maintain, or contribute, unless on contract, to maintain any place of worship or any ministry; nor shall any person, otherwise competent, be deemed incompetent as a witness, or juror, on account of his religious belief: Provided, he believes in the existence of God, and that under His dispensation such person will be held morally accountable for his acts, and be

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rewarded or punished therefor in this world or the world to come.

MASSACHUSETTS.

2.

It is the right as well as the duty of all men in society, publicly and at stated seasons, to worship the Supreme Being, the Great Creator and Preserver of the Universe. And no subject shall be hurt, molested or restrained, in his person, liberty or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession of sentiments; provided he doth not disturb the public peace or obstruct others in their religious worship.

3.

(As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion and morality; and as these cannot be generally diffused through a community but by the institution of the public worship of God, and of public instructions in piety, religion and morality: Therefore, to promote their happiness, and to secure the good order and preservation of their government, the people of this Commonwealth have a right to invest their Legislature with power to authorize and require, and the Legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies politic, or religious societies, to make suitable provision, at their own expense, for the institution of the public worship of God, and for the support and maintenance of public Protestant teachers of

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piety, religion and morality, in all cases where such provision shall not be made voluntarily.

And the people of this Commonwealth have also a right to, and do, invest their Legislature with authority to enjoin upon all the subjects and attendants upon the instructions of the public teachers aforesaid, at stated times and seasons, if there be any on whose instructions they can conscientiously and conveniently attend.

Provided, notwithstanding, that the several towns, parishes, precincts and other bodies politic, or religious societies, shall, at all times, have the exclusive right of electing their public teachers, and of contracting with them for their support and maintenance.

And all moneys paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on whose instructions he attends; otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said moneys are raised.

And every denomination of Christians, demeaning themselves peaceably, and as good subjects of the Commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law.) (Amendment, Art. XI, substituted for this.)

11.

Instead of the third article of the

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bill of rights, the following modification and amendment thereof is substituted:

"As the public worship of God and instructions in piety, religion and morality, promote the happiness and prosperity of a people, and the security of a Republican government; therefore, the several religious societies of this commonwealth, whether corporate or unincorporate, at any meeting legally warned and holden for that purpose, shall ever have the right to elect their pastors or religious teachers, to contract with them for their support, to raise money for erecting and repairing houses for public worship, for the maintenance of religious instruction, and for the payment of necessary expenses; and all persons belonging to any religious society shall be taken and held to be members, until they shall file with the clerk of such society a written notice, declaring the dissolution of their membership, and thenceforth shall not be liable for any grant or contract which may be thereafter made, or entered into by such society; and all religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law.

MICHIGAN.**39. IV.**

The Legislature shall pass no law to prevent any person from worshipping Almighty God according to the dictates of his own conscience, or compel any person to attend, erect or support any

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place of religious worship, or to pay tithes, taxes or other rates for the support of any minister of the gospel or teacher of religion.

40. IV.

No money shall be appropriated or drawn from the treasury for the benefit of any religious sect or society, theological or religious seminary, nor shall property belonging to the State be appropriated for any such purpose.

41. IV.

The Legislature shall not diminish or enlarge the civil or political rights, privileges and capacities of any person on account of his opinion or belief concerning matters of religion.

34. VI.

No person shall be rendered incompetent to be a witness on account of his opinions on matters of religious belief.

MINNESOTA.**16.**

The enumeration of rights in this Constitution shall not be construed to deny or impair others restrained by and inherent in the people. The right of every man to worship God according to the dictates of his own conscience shall never be infringed nor shall any man be compelled to attend, erect or support any place of worship, or to maintain any religious or ecclesiastical ministry against his consent; nor shall any control of or interference with the rights of conscience be permitted, or any preference be given by law to any religious establishment or mode of worship; but the liberty of conscience hereby secured shall not be so construed as to exercise acts of licentious-

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ness, or justify practices inconsistent with the peace or safety of the State, nor shall any money be drawn from the treasury for the benefit of any religious societies, or religious or theological seminaries.

17. I.

No religious test or amount of property shall ever be required as a qualification for any office of public trust under the State. No religious test or amount of property shall ever be required as a qualification of any voter at any election in this State; nor shall any person be rendered incompetent to give evidence in any court of law or equity, in consequence of his opinion upon the subject of religion.

MISSISSIPPI.

18. III.

No religious test as a qualification for office shall be required; and no preference shall be given, by law to any religious sect, or mode of worship; but the free enjoyment of all religious sentiments and the different modes of worship shall be held sacred. The rights hereby secured shall not be construed to justify acts of licentiousness injurious to morals or dangerous to the peace and safety of the State, or to exclude the Holy Bible from use in any public school of this State.

208. VIII.

No religious or other sect or sects shall ever control any part of the school or other educational fund of this State; nor shall any funds be appropriated towards the support of any sectarian school; or to any school that at the time of receiving such appropriation is not conducted as a free school.

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MISSOURI.

5. II.

That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience; that no person can on account of his religious opinions, be rendered ineligible to any office of trust or profit under this State; nor be disqualified from testifying, or from serving as a juror; that no human authority can control or interfere with the rights of conscience; that no person ought, by any law, to be molested in his person or estate, on account of his religious persuasion or profession; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, nor to justify practices inconsistent with the good order, peace or safety of this State, or with the rights of others.

6. II.

That no person can be compelled to erect, support or attend any place or system of worship, or to maintain or support any priest, minister, preacher or teacher of any sect, church, creed or denomination of religion; but if any person shall voluntarily make a contract for any such object, he shall be held to the performance of the same.

7. II.

That no money shall ever be taken from the public treasury, directly or indirectly, in aid of any church, sect or denomination of religion, or in aid of any priest, preacher, minister or teacher thereof as such; and that no preference shall be given to, nor any discrimination made against, any church, sect or creed of religion, or any form of religious faith or worship.

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MONTANA.**4. III.**

The free exercise and enjoyment of religious profession and worship, without discrimination, shall forever hereafter be guaranteed, and no person shall be denied any civil or political right or privilege on account of his opinions concerning religion, but the liberty of conscience hereby secured shall not be construed to dispense with oaths or affirmations, excuse acts of licentiousness, by bigamous or polygamous marriage, or otherwise, or justify practices inconsistent with the good order, peace or safety of the State, or opposed to the civil authority thereof, or of the United States. No person shall be required to attend any place of worship or support any ministry, religious sect or denomination, against his consent; nor shall any preference be given by law to any religious denomination or mode of worship.

9. XI.

No religious or partisan test or qualification shall ever be required of any person as a condition of admission into any public educational institution of the State, either as teacher or student; nor shall attendance be required at any religious service whatever, nor shall any sectarian tenets be taught in any public educational institution of the State; nor shall any person be debarred admission to any of the collegiate departments of the university on account of sex.

NEBRASKA,**4. I.**

All persons have a natural and indefeasible right to worship Almighty God according to the dic-

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tates of their own consciences. No person shall be compelled to attend, erect or support any place of worship against his consent, and no preference shall be given by law to any religious society, nor shall any interference with the rights of conscience be permitted. No religious test shall be required as a qualification for office, nor shall any person be incompetent to be a witness on account of his religious belief; but nothing herein shall be construed to dispense with oaths and affirmations. Religion, morality and knowledge, however, being essential to good government, it shall be the duty of the Legislature to pass suitable laws to protect every religious denomination in the peaceable enjoyment of its own mode of public worship, and to encourage schools and the means of instruction.

11. VIII.

No sectarian instruction shall be allowed in any school or institution supported in whole or in part by the public funds set apart for educational purposes, nor shall the State accept any grant, conveyance or bequest of money, lands or other property to be used for sectarian purposes.

NEVADA.**4. I.**

The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this State; and no person shall be rendered incompetent to be a witness on account of his opinions on matters of his religious belief; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or

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justify practices inconsistent with the peace or safety of this State.

9. XI.

No sectarian instruction shall be imparted or tolerated in any school or university that may be established under this Constitution.

10. XI.

No public funds of any kind or character whatever, State, county, or municipal, shall be used for sectarian purpose.

NEW HAMPSHIRE.

4.

Among the natural rights, some are in their very nature inalienable, because no equivalent can be given or conceived for them. Of this kind are the rights of conscience.

5.

Every individual has a natural and unalienable right to worship God according to the dictates of his own conscience and reason; and no subject shall be hurt, molested, or restrained in his person, liberty, or estate, for worshiping God in the manner and season most agreeable to the dictates of his own conscience, or for his religious profession, sentiments, or persuasion, provided he doth not disturb the public peace, or disturb others in their religious worship.

6.

As morality and piety, rightly grounded, will give the best and greatest security to government, and will lay in the hearts of men the strongest obligations to due subjection, and as the knowledge of these is most likely to be propagated through a society by the institution of the public worship of the Deity and of public instruction in morality and religion,

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therefore, to promote these important purposes, the people of this State have a right to empower, and do hereby fully empower, the Legislature to authorize, from time to time, the religious societies within this State to make adequate provision, at their own expense, for the support and maintenance of public teachers of piety, religion and morality. The several religious societies shall at all times have the exclusive right of electing their own public teachers, and of contracting with them for their support and maintenance. And no person of any one particular religious sect or denomination shall ever be compelled to pay toward the support of the teacher or teachers of another persuasion, sect or denomination. And every (religious sect or) denomination, demeaning themselves quietly and as good subjects of the State, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law.

7.

No person shall be rendered incompetent as a witness in consequence of his opinions on matters of religion.

NEW JERSEY.

3. I.

No person shall be deprived of the inestimable privilege of worshipping Almighty God in a manner agreeable to the dictates of his own conscience; nor, under any pretense whatever, to be compelled to attend any place of worship contrary to his faith and judgment; nor shall any person be obliged to pay tithes, taxes or other rates for building or re-

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pairing any church or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right, or has deliberately and voluntarily engaged to perform.

4. I.

There shall be no establishment of one religious sect in preference to another; no religious test shall be required as a qualification for any office or public trust; and no person shall be denied the enjoyment of any civil right merely on account of his religious principles.

NORTH CAROLINA.

26. I.

All men have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences, and no human authority should, in any case whatever, control or interfere with the rights of conscience.

NORTH DAKOTA.

4. I.

The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall be forever guaranteed in this State, and no person shall be rendered incompetent to be a witness or juror on account of his opinion on matters of religious belief; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State.

OHIO.

7. I.

All men have a natural and inalienable right to worship Almighty God according to the dictates of their own conscience. No person shall be compelled to

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attend, erect, or support any place of worship, or maintain any form of worship, against his consent; and no preference shall be given, by law, to any religious society; nor shall any interference with the rights of conscience be permitted. No religious test shall be required as a qualification for office, nor shall any person be incompetent to be a witness on account of his religious belief; but nothing herein shall be construed to dispense with oaths and affirmations. Religion, morality and knowledge, however, being essential to good government, it shall be the duty of the General Assembly to pass suitable laws to protect every religious denomination in the peaceable enjoyment of its own mode of public worship, and to encourage schools and the means of instruction.

OREGON.

2. I.

All men shall be secured in their natural right to worship Almighty God according to the dictates of their own consciences.

3. I.

No law shall in any case whatever control the free exercise and enjoyment of religious opinions, or interfere with the rights of conscience.

4. I.

No religious test shall be required as a qualification for any office of trust or profit.

5. I.

No money shall be drawn from the treasury for the benefit of any religious or theological institution, nor shall any money be appropriated for the payment of any religious services in either house of the Legislative Assembly.

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6. I.

No person shall be rendered incompetent as a witness or juror in consequence of his opinions on matters of religion, nor be questioned in any court of justice touching his religious belief, to affect the weight of his testimony.

PENNSYLVANIA.

3. I.

All men have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences; no man can of right be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent; no human authority can, in any case whatever, control or interfere with the rights of conscience, and no preference shall ever be given by law to any religious establishments or modes of worship.

4. I.

No person who acknowledges the being of a God, and a future state of rewards and punishments shall, on account of his religious sentiments, be disqualified to hold any office or place of trust or profit under this Commonwealth.

37. I.

That no religious test ought ever to be required as a qualification for any office of profit or trust in this State, other than a declaration of belief in the existence of God; nor shall the Legislature prescribe any oath of office than the oath prescribed by this Constitution.

18. III.

No appropriations, except for pensions or gratuities for military services, shall be made for charitable, educational or benevolent purposes, to any per-

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son or community, nor to any denominational or sectarian institution, corporation or association.

RHODE ISLAND.

3. I.

Whereas, Almighty God hath created the mind free; and all attempts to influence it by temporal punishments or burdens, or by civil incapacitations, tend to beget habits of hypocrisy and meanness; and whereas a principal object of our venerable ancestors, in their migration to this country and their settlement of this State, was, as they expressed it, to hold forth a lively experiment, that a flourishing civil State may stand and be best maintained with full liberty in religious concerns: We, therefore, declare that no man shall be compelled to frequent or to support any religious worship, place or ministry whatever, except in fulfillment of his own voluntary contract; nor enforced, restrained, molested or burdened in his body or goods; nor disqualified from holding any office; nor otherwise suffer on account of his religious belief; and that every man shall be free to worship God according to the dictates of his own conscience, and to profess and by argument to maintain his opinion in matters of religion; and that the same shall in no wise diminish, enlarge or affect his civil capacity.

SOUTH CAROLINA.

8. I.

No person shall be deprived of the right to worship God according to the dictates of his own conscience: Provided, That the liberty of conscience hereby declared shall not justify practices

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Inconsistent with the peace and moral safety of society.

10. I.

No form of religion shall ever be established by law; but it shall be the duty of the General Assembly to pass suitable laws to protect every religious denomination in the peaceable enjoyment of its own mode of worship.

12. I.

No person shall be disqualified as a witness, or be prevented from acquiring, holding and transmitting property, or be hindered in acquiring education, or be liable to any other punishment for any offense, or be subjected in law to any other restraints or disqualifications, in regard to any personal rights, than such as are laid upon others under like circumstances.

6. XIV.

No person who denies the existence of the Supreme Being shall hold any office under this Constitution.

SOUTH DAKOTA.

8. VI.

The right to worship God according to the dictates of conscience shall never be infringed. No person shall be denied any civil or political right, privilege or position on account of his religious opinions, but the liberty of conscience hereby secured shall not be so construed as to excuse licentiousness, the invasion of the rights of others, or justify practices inconsistent with the peace or safety of the State.

No person shall be compelled to attend or support any ministry or place of worship against his consent, nor shall any prefer-

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ence be given by law to any religious establishment or mode of worship. No money or property of the State shall be given or appropriated for the benefit of any sectarian or religious society or institution.

16. VIII.

No appropriation of lands, money or other property, or credits to aid any sectarian school, shall ever be made by the State, or any county or municipality within the State, nor shall the State or any county or municipality within the State accept any grant, conveyance, gift or bequest of lands, money or other property to be used for sectarian purposes, and no sectarian instruction shall be allowed in any school or institution aided or supported by the State.

TENNESSEE.

3. I.

That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience; that no man can, of right, be compelled to attend, erect, or support any place of worship, or to maintain any minister against his consent; that no human authority can, in any case, whatever, control or interfere with the rights of conscience; and that no preference shall ever be given by law, to any religious establishment or mode of worship.

4. I.

That no political or religious test, other than an oath to support the Constitution of the United States and of this State, shall ever be required as a qualification to any office or public trust under this State.

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15. X.

No person shall, in time of peace, be required to perform any service to the public on any day set apart by his religion as a day of rest.

TEXAS.

4. I.

No religious test shall ever be required as a qualification of religion, and no preference shall ever be given by law to any one or shall anyone be excluded from holding office on account of his religious sentiments, provided he acknowledge the existence of a Supreme Being.

5. I.

No person shall be disqualified to give evidence in any of the courts of this State on account of his religious opinions, or for want of any religious belief, but all oaths or affirmations shall be administered in the mode most binding upon the conscience, and shall be taken subject to the pains and penalties of perjury.

6. I.

All men have a natural and inalienable right to worship Almighty God according to the dictates of their own consciences. No man shall be compelled to attend, erect or support any place of worship, or to maintain any ministry against his consent. No human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion, and no preference shall ever be given by law to any religious societies or mode of worship. But it shall be the duty of the Legislature to pass such laws as may be necessary to protect equally every religious denomination in the peaceable enjoyment of its own mode of public worship.

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VERMONT.

3. I.

That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences and understandings, as in their opinion shall be regulated by the word of God; and that no man ought to, or of right can be, compelled to attend any religious worship, or erect or support any place of worship, or maintain any ministry contrary to the dictates of his conscience, nor can any man be justly deprived or abridged of any civil right as a citizen on account of his religious sentiments or peculiar mode of religious worship; and that no authority can or ought to be vested in, or assumed by, any power whatever, that shall in any case interfere with, or in any manner control the rights of conscience, in the free exercise of religious worship. Nevertheless, every sect or denomination of Christians ought to observe the Sabbath or Lord's day, and keep up some sort of religious worship, which to them shall seem most agreeable to the revealed will of God.

VIRGINIA.

18. I.

That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and, therefore, all men are equally entitled to the free exercise of religion according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love and charity towards each other.

WASHINGTON.

11. I.

Absolute freedom of conscience in

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all matters of religious sentiment, belief and worship shall be guaranteed to every individual, and no one shall be molested or disturbed in person or property on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the State. No public money or property shall be appropriated for, or applied to, any religious worship, exercise or instruction, or the support of any religious establishment. No religious qualifications shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror, in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony.

WEST VIRGINIA.

11. III.

Political tests, requiring persons, as a prerequisite to the enjoyment of their civil and political rights, to purge themselves by their own oaths, of past alleged offenses, are repugnant to the principles of free government, and are cruel and oppressive. No religious or political test oath shall be required as a prerequisite or qualification to vote, serve as a juror, sue, plead, appeal or pursue any profession or employment. Nor shall any person be deprived by law of any right, or privilege, because of any act done prior to the passage of such law.

15. III.

No man shall be compelled to frequent or support any relig-

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ious worship, place or ministry whatsoever; nor shall any man be enforced, restrained, molested or burthened, in his body or goods, or otherwise suffer, on account of his religious opinions or belief; but all men shall be free to profess, and by argument, to maintain their opinions in matters of religion; and the same shall, in no wise, affect, diminish or enlarge their civil capacities; and the Legislature shall not prescribe any religious test whatever, or confer any peculiar privileges or advantages on any sect or denomination, or pass any law requiring or authorizing any religious society, or the people of any district within this State, to levy on themselves, or others, any tax for the erection or repair of any house for public worship, or for the support of any church or ministry, but it shall be left free for every person to select his religious instructor, and to make for his support, such private contract as he shall please.

WISCONSIN.

18. I.

The right of every man to worship Almighty God according to the dictates of his own conscience shall never be infringed, nor shall any man be compelled to attend, erect or support any place of worship, or to maintain any ministry, against his consent. Nor shall any control of, or interference with the right of conscience be permitted, or any preference be given by law to any religious establishments or mode of worship. Nor shall any money be drawn from the treasury for the benefit of religious societies, or religious or theological seminaries.

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19. I.

No religious tests shall ever be required as a qualification for any office or public trust, under the State, and no person shall be rendered incompetent to give evidence in any court of law or equity, in consequence of his opinions on the subject of religion.

WYOMING.

18. I.

The free exercise and enjoyment of religious profession and worship without discrimination or preference shall be forever guaranteed in this State, and no person shall be rendered incompetent to hold any office of trust or profit, or to serve as a witness or juror, because of his opinion on any matter of religious belief whatever; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace or safety of the State.

2.

Perfect toleration of religious sentiment shall be secured, and no inhabitant of this State shall ever be molested in person or property on account of his or her mode of religious worship.

19. I.

No money of the State shall ever be given or appropriated to any sectarian or religious society or institution.

36. III.

No appropriation shall be made for charitable, industrial, educational or benevolent purposes

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to any person, corporation or community not under the absolute control of the State, nor to any denominational or sectarian institution or association.

8. VII.

Provision shall be made by general law for the equitable distribution of such income among the several counties according to the number of children of school age in each, which several counties shall in like manner distribute the proportion of said fund by them received respectively to the several school districts embraced therein. But no appropriation shall be made from said fund to any district for the year in which a school has not been maintained for at least three months; nor shall any portion of any public school fund ever be used to support or assist any private school, or any school, academy, seminary, college or other institution of learning controlled by any church or sectarian organization or religious denomination whatsoever.

12. VII.

No sectarian instruction, qualifications or tests shall be imparted, exacted, applied or in any manner tolerated in the schools of any grade or character controlled by the State, nor shall attendance be required at any religious service therein, nor shall any sectarian tenets or doctrines be taught or favored in any public school or institution that may be established under this Constitution.

Writ of Habeas Corpus.

WRIT OF HABEAS CORPUS.

- 1 Sec. 4. The privilege of the writ of habeas corpus shall not
 2 be suspended, unless when, in cases of rebellion or invasion,
 3 the public safety may require its suspension.

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ALABAMA.

18. I.

That the privilege of the writ of habeas corpus shall not be suspended by the authorities of this State.

ARKANSAS.

11. II.

The privilege of the writ of habeas corpus shall not be suspended, except by the general assembly, in case of rebellion, insurrection or invasion, when the public safety may require it.

CALIFORNIA.

5. I.

The privilege of the writ of habeas corpus shall not be suspended unless when in cases of rebellion or invasion, the public safety may require its suspension.

COLORADO.

21. II.

That the privilege of the writ of habeas corpus shall never be suspended, unless when in case of rebellion or invasion, the public safety may require it.

CONNECTICUT.

14. I.

All prisoners shall, before conviction, be bailable by sufficient sureties, except for capital offenses, where the proof is evident or the presumption great; and the privileges of the writ of habeas corpus shall not be suspended, unless when, in case

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of rebellion or invasion, the public safety may require it; nor in any case but by the Legislature.

DELAWARE.

13. I.

The privilege of the writ of habeas corpus shall not be suspended, unless when in case of rebellion or invasion, the public safety may require it.

FLORIDA.

7. I.

The writ of habeas corpus shall be grantable speedily and of right, freely and without cost, and shall never be suspended unless, in case of rebellion or invasion, the public safety may require its suspension.

GEORGIA.

11.

The writ of habeas corpus shall not be suspended.

IDAHO.

5. I.

The privilege of the writ of habeas corpus shall not be suspended, unless in cases of rebellion or invasion, the public safety requires it, and then only in such manner as shall be prescribed by law.

INDIANA.

27. I.

The privileges of the writ of habeas corpus shall not be suspended, except in case of rebel-

Writ of Habeas Corpus.

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lion or invasion, and then only if the public safety demand it.

IOWA.**13. I.**

The writ of habeas corpus shall not be suspended or refused when application is made as required by law, unless, in case of rebellion or invasion, the public safety may require it.

KANSAS.**8. I.**

The right to the writ of habeas corpus shall not be suspended, unless the public safety requires it in case of invasion or rebellion.

KENTUCKY.**16.**

All prisoners shall be bailable by sufficient sureties, unless for capital offenses, when the proof is evident or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended unless when, in case of rebellion or invasion, the public safety may require it.

LOUISIANA.**10.**

The privilege of the writ of habeas corpus shall not be suspended, unless when in case of rebellion or invasion the public safety may require it.

MAINE.**10. I.**

No person before conviction shall be bailable for any of the crimes, which now are, or have been denominated capital offenses since the adoption of the Constitution, where the proof is evident or the presumption great, whatever the punishment of the crimes may be. And the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

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MARYLAND.**55. III.**

The General Assembly shall pass no law suspending the privilege of the writ of habeas corpus.

MASSACHUSETTS.**7. VI.**

The privilege and benefit of the writ of habeas corpus shall be enjoyed in this Commonwealth, in the most free, easy, cheap, expeditious and ample manner; and shall not be suspended by the Legislature, except upon the most urgent and pressing occasions, and for a limited time, not exceeding twelve months.

MICHIGAN.**44. I.**

The privilege of the writ of habeas corpus remains and shall not be suspended by the Legislature, except in case of rebellion or invasion, the public safety may require it.

MISSISSIPPI.**21. III.**

The privilege of the writ of habeas corpus shall not be suspended, unless when in case of rebellion or invasion, the public safety may require it, nor ever without the authority of the Legislature.

MISSOURI.**26. II.**

That the privilege of the writ of habeas corpus shall never be suspended.

MONTANA.**21. I.**

The privilege of the writ of habeas corpus shall never be suspended, unless, in case of rebellion, or invasion, the public safety require it.

NEBRASKA.**8. I.**

The privilege of the writ of habeas corpus shall not be sus-

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suspended, unless, in case of rebellion or invasion, the public safety requires it, and then only in such manner as shall be prescribed by law.

NEVADA.**5. I.**

The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require its suspension.

NEW JERSEY.**11. I.**

The privilege of the writ of habeas corpus shall not be suspended, unless, in case of rebellion or invasion, the public safety may require it.

NORTH CAROLINA.**21. I.**

The privilege of the writ of habeas corpus shall not be suspended.

NORTH DAKOTA.**5. I.**

The privilege of the writ of habeas corpus shall not be suspended unless, when in case of rebellion or invasion, the public safety may require.

OHIO.**8. I.**

The privilege of the writ of habeas corpus shall not be suspended, unless in cases of rebellion or invasion the public safety require it.

OREGON.**23. I.**

The privilege of the writ of habeas corpus shall not be suspended, unless, in case of rebellion or invasion, the public safety require it.

RHODE ISLAND.**9. I.**

All persons imprisoned ought to be bailed by sufficient surety.

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unless for offenses punishable by death or by imprisonment for life, when the proof of guilt is evident or the presumption great. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety shall require it; nor ever without the authority of the General Assembly.

SOUTH CAROLINA.**17. I.**

The privilege of the writ of habeas corpus shall not be suspended, except when, in case of insurrection, rebellion or invasion, the public safety may require it.

TENNESSEE.**15. I.**

That all prisoners shall be bailable by sufficient sureties, unless for capital offenses, when the proof is evident or the presumption great. And the privilege of the writ of habeas corpus shall not be suspended, unless when, in case of rebellion or invasion, the General Assembly shall declare the public safety requires it.

TEXAS.**12. I.**

The writ of habeas corpus is a writ of right, and shall never be suspended. The Legislature shall enact laws to render the remedy speedy and effectual.

VERMONT.**XII.**

The writ of habeas corpus shall in no case be suspended. It shall be a writ issuable of right, and the General Assembly shall make provision to render it a speedy and effectual remedy in all cases proper therefor.

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VIRGINIA.**14. V.**

The privilege of the writ of habeas corpus shall not be suspended unless when, in cases of invasion or rebellion, the public safety may require it. The General Assembly shall not pass any bill of attainder or any ex post facto law, or any law impairing the obligation of contracts, or any law whereby private property shall be taken for public uses without just compensation, or any law abridging the freedom of speech or of the press. No man shall be compelled to frequent or support any religious worship, place or ministry whatsoever, nor shall any man be enforced, restrained, molested or burthened in his body or goods, or otherwise suffer on account of his religious opinions or belief, but all men shall be free to profess, and by argument to maintain, their opinion in matters of religion, and the same shall in no wise affect, diminish or enlarge their civil capacities. And the General Assembly shall not prescribe any religious test whatever, or confer any peculiar privileges or advantages on any sect or denomination, or pass any law requiring or authorizing any religious society or the people of any district within this Commonwealth to levy on themselves or others any tax for the erection or repair of any house of public worship, or for the support of any church or ministry, but it shall be left free to every person to select his religious instructor and to make for his support such private contract as he shall please.

WASHINGTON.**13. I.**

The privilege of the writ of ha-

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beas corpus shall not be suspended unless, in case of rebellion or invasion, the public safety requires it.

WEST VIRGINIA.**4. III.**

The privilege of the writ of habeas corpus shall not be suspended. No person shall be held to answer for treason, felony or other crime not cognizable by a justice, unless on presentment or indictment of a grand jury. No bill of attainder, ex post facto law, or law impairing the obligation of a contract, shall be passed.

WISCONSIN.**8. I.**

No person shall be held to answer for a criminal offense, unless on the presentment or indictment of a grand jury, except in cases of impeachment, or in cases cognizable by justices of the peace, or arising in the army or navy, or in the militia, when in actual service in time of war or public danger; and no person for the same offense shall be put twice in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself. All persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great and the privilege of the writ of habeas corpus shall not be suspended, unless, when in cases of rebellion or invasion, the public safety may require.

WYOMING.**17. I.**

The privilege of the writ of habeas corpus shall not be suspended unless, when in case of rebellion or invasion, the public safety may require it.

 Bail, Fines.

BAIL, FINES.

1 Sec. 5. Excessive bail shall not be required nor excessive
 2 fines imposed, nor shall cruel and unusual punishments be
 3 inflicted, nor shall witnesses be unreasonably detained.

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ALABAMA.**16. I.**

That excessive fines shall not be imposed, nor cruel or unusual punishments inflicted.

17. I.

That all persons shall, before conviction, be bailable by sureties, except for capital offenses, when the proof is evident or the presumption great; and that excessive bail shall not, in any case, be required.

ARKANSAS.**9. II.**

Excessive bail shall not be required, nor shall excessive fines be imposed; nor shall cruel or unusual punishment be inflicted; nor witnesses be unreasonably detained.

CALIFORNIA.**6. I.**

All persons shall be bailable by sufficient sureties, unless for capital offenses when the proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed; nor shall cruel or unusual punishment be inflicted. Witnesses shall not be unreasonably detained, nor confined in any room where criminals are actually imprisoned.

COLORADO.**17. II.**

That no person shall be imprisoned for the purpose of secur-

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ing his testimony in any case longer than may be necessary in order to take his deposition. If he can give security, he shall be discharged; if he cannot give security, his deposition shall be taken by some judge of the Supreme, District or County Court, at the earliest time he can attend, at some convenient place by him appointed for that purpose, of which time and place the accused and the attorney prosecuting for the people, shall have reasonable notice. The accused shall have the right to appear in person and by counsel. If he have no counsel, the judge shall assign him one in that behalf only. On the completion of such examination, the witness shall be charged on his own recognizance, entered in before said judge, but such deposition shall not be used if, in the opinion of the court, the personal attendance of the witness might be procured by the prosecution, or is procured by the accused. No exception shall be taken to such deposition as to matters of form.

19. II.

That all persons shall be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great.

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20. II.

That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

CONNECTICUT.

13. I.

Excessive bail shall not be required, nor excessive fines imposed.

DELAWARE.

11. I.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishment inflicted; and in the construction of jails, a proper regard shall be had to the health of prisoners.

12. I.

All prisoners shall be bailable by sufficient sureties, unless for capital offenses when the proof is positive or the presumption great and when persons are confined on accusation for such offenses, their friends or counsel may at proper seasons have access to them.

FLORIDA.

8.

Excessive bail shall not be required, nor excessive fines be imposed, nor cruel or unusual punishment or indefinite imprisonment be allowed, nor shall witnesses be unreasonably detained.

9.

All persons shall be bailable by sufficient sureties, except for capital offenses, where the proof is evident or the presumption great.

GEORGIA.

9. I.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted; nor shall any person be abused in being

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arrested, while under arrest, or in prison.

IDAHO.

6. I.

All persons shall be bailable by sufficient sureties, except for capital offenses, where the proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ILLINOIS.

7. II.

All persons shall be bailable by sufficient sureties, except for capital offenses, where the proof is evident or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

INDIANA.

15. I.

No person arrested, or confined in jail, shall be treated with unnecessary rigor.

16. I.

Excessive bail shall not be required. Excessive fines shall not be imposed. Cruel and unusual punishment shall not be inflicted. All penalties shall be proportioned to the nature of the offense.

17. I.

Offenses, other than murder or treason, shall be bailable by sufficient sureties. Murder or treason shall not be bailable when the proof is evident or the presumption strong.

IOWA.

17. I.

Excessive bail shall not be required; excessive fines shall not be imposed, and cruel and unusual punishment shall not be inflicted.

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KANSAS.

9. All persons shall be bailable by sufficient sureties except for capital offenses, where proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted.

KENTUCKY.

17. Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishment inflicted.

LOUISIANA.

9. Excessive bail shall not be required, nor excessive fines be imposed, nor cruel and unusual punishments inflicted. All persons shall be bailable by sufficient sureties, unless for capital offenses where the proof is evident or the presumption great, or unless after conviction for any crime or offense punishable with death or imprisonment at hard labor.

MAINE.

9. I. Sanguinary laws shall not be passed; all penalties and punishments shall be proportioned to the offense; excessive bail shall not be required, nor excessive fines imposed, nor cruel nor unusual punishments inflicted.

MARYLAND.

16. That sanguinary laws ought to be avoided as far as it is consistent with the safety of the State; and no law to inflict cruel and unusual pains and penalties ought to be made in any case, or at any time, hereafter.

25. That excessive bail ought not to be required, nor excessive fines im-

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posed, nor cruel or unusual punishment inflicted by the courts of law.

MASSACHUSETTS.

26. No magistrate or court of law shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments.

MICHIGAN.

31. VI. Excessive bail shall not be required; excessive fines shall not be imposed; cruel or unusual punishment shall not be inflicted; nor shall witnesses be unreasonably detained.

MINNESOTA.

5. I. Excessive bail shall not be required, nor shall excessive fines be imposed; nor shall cruel or unusual punishments be inflicted.

MISSISSIPPI.

28. III. Cruel or unusual punishment shall not be inflicted, nor excessive fines be imposed.

29. III.

Excessive bail shall not be required; and all persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses when the proof is evident or presumption great.

MISSOURI.**24. II.**

That all persons shall be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great.

25. II.

That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

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MONTANA.**17. III.**

No person shall be imprisoned for the purpose of securing his testimony in any criminal proceeding longer than may be necessary in order to take his deposition. If he can give security for his appearance at the time of trial he shall be discharged upon giving the same; if he cannot give security, his deposition shall be taken in the manner prescribed by law, and in the presence of the accused and his counsel, or without their presence, if they shall fail to attend the examination after reasonable notice of the time and place thereof. Any deposition authorized by this section may be received as evidence on the trial, if the witness shall be dead or absent from the State.

10. III.

All persons shall be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great.

20. III.

Excessive bail shall not be required, or excessive fines imposed, or cruel and unusual punishments inflicted.

NEBRASKA.**9. I.**

All persons shall be bailable by sufficient sureties, except for treason and murder, where the proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

NEVADA.**6. I.**

Excessive bail shall not be required, nor excessive fines imposed; nor shall cruel or unusual

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punishments be inflicted; nor shall witnesses be unreasonably detained.

7. I.

All persons shall be bailable by sufficient sureties; unless, for capital offenses, when the proof is evident or the presumption great.

NEW HAMPSHIRE.**18.**

All penalties ought to be proportioned to the nature of the offense. No wise Legislature will affix the same punishment to the crimes of theft, forgery, and the like, which they do to those of murder and treason. Where the same undistinguishing severity is exerted against all offenses, the people are led to forget the real distinction in the crimes themselves and to commit the most flagrant with as little compunction as they do the greatest offenses. For the same reason, a multitude of sanguinary laws is both impolitic and unjust, the true design of all punishments being to reform, not to exterminate, mankind.

33. I.

No magistrate or court of law shall demand excessive bail or sureties, impose excessive fines or inflict cruel or unusual punishments.

NEW JERSEY.**15. I.**

Excessive bail shall not be required, nor excessive fines imposed, and cruel and unusual punishments shall not be inflicted.

NC. I.**14. I.**

Excessive bail shall not be required nor excessive fines im-

Ball, Fines.

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posed, nor cruel nor unusual punishments inflicted.

NORTH DAKOTA.**6. I.**

All persons shall be bailable by sufficient sureties, unless for capital offenses, when the proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor shall cruel or unusual punishments be inflicted. Witnesses shall not be unreasonably detained, nor be confined in any room where criminals are actually imprisoned.

OHIO.**9. I.**

All persons shall be bailable by sufficient sureties, except for capital offenses where the proof is evident, or the presumption great. Excessive bail shall not be required; nor excessive fines imposed; nor cruel and unusual punishments inflicted.

OREGON.**13. I.**

No person arrested or confined in jail shall be treated with unnecessary rigor.

14. I.

Offenses, except murder or treason, shall be bailable by sufficient sureties. Murder or treason shall not be bailable when the proof is evident or the presumption strong.

14. I.

Excessive bail shall not be required, nor excessive fines imposed. Cruel and unusual punishments shall not be inflicted, but all penalties shall be proportioned to the offense. In all criminal cases whatever, the jury shall have the right to determine the law and the facts, under the direction of the court,

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as to the law, and the right of new trial, as in civil cases.

PENNSYLVANIA.**13. I.**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.

14. I.

All prisoners shall be bailable by sufficient sureties, unless for capital offenses when the proof is evident or presumption great; and the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

RHODE ISLAND.**8. I.**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted; and all punishments ought to be proportioned to the offense.

SOUTH CAROLINA.**16. I.**

All persons shall, before conviction be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption great; and excessive bail shall not, in any case, be required, nor corporal punishment inflicted.

38. I.

Excessive fines shall not be imposed, nor cruel and unusual punishment inflicted, nor shall witnesses be unreasonably detained.

SOUTH DAKOTA.**8. VI.**

All persons shall be bailable by sufficient sureties, except for capital offenses when proof is evident or presumption great. The privilege of the writ of ha-

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beas corpus shall not be suspended unless, when in case of rebellion or invasion, the public safety may require it.

23. VI.

Excessive bail shall not be required, excessive fines imposed, nor cruel punishments inflicted.

TENNESSEE.

13. I.

That no person arrested and confined in jail shall be treated with unnecessary rigor.

16. I.

That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

TEXAS.

11. I.

All prisoners shall be bailable by sufficient sureties, unless for capital offenses when the proof is evident; but this provision shall not be so construed as to prevent bail after indictment found, upon examination of the evidence in such manner as may be prescribed by law.

13. I.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted. All courts shall be open, and every person for an injury done him in his lands, goods, person or reputation shall have remedy by due course of law.

VERMONT.

32. II.

All prosecutions shall commence, "By the authority of the State of Vermont." All indictments shall conclude with these words: "Against the peace and dignity of the State." And all fines shall be proportioned to the offenses.

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VIRGINIA.

11. I.

That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

WASHINGTON.

14. I.

Excessive bail shall not be required, excessive fines imposed, nor cruel punishment inflicted.

20. I.

All persons charged with crime shall be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption great.

WEST VIRGINIA.

5. III.

Excessive bail shall not be required, nor excessive fines imposed nor cruel and unusual punishment inflicted. Penalties shall be proportioned to the character and degree of the offense. No person shall be transported out of, or forced to leave the State for any offense committed within the same; nor shall any person, in any criminal case be compelled to be a witness against himself, or be twice put in jeopardy of life or liberty for the same offense.

WISCONSIN.

6. I.

Excessive bail shall not be required, nor shall excessive fines be imposed, nor cruel and unusual punishment be inflicted.

WYOMING.

12. I.

No person shall be detained as a witness in any criminal prosecution longer than may be necessary to take his testimony or deposition, nor be confined in any room where criminals are imprisoned.

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18. I.

No person arrested and confined in jail shall be treated with unnecessary rigor. The erection of safe and comfortable prisons, and inspection of prisons, and the humane treatment of prisoners shall be provided for.

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14. I.

All persons shall be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor shall cruel or unusual punishment be inflicted.

Grand Jury—Bill of Rights.

GRAND JURY — BILL OF RIGHTS.

1 Sec. 6. No person shall be held to answer for a capital
 2 or otherwise infamous crime (except in cases of impeachment,
 3 and in cases of militia when in actual service, and the land and
 4 naval forces in time of war, or which this State may keep with
 5 the consent of Congress in time of peace, and in cases of petit
 6 larceny, under the regulation of the Legislature, unless on
 7 presentment or indictment of a grand jury, and in any trial
 8 in any court whatever the party accused shall be allowed to
 9 appear and defend in person and with counsel as in civil
 10 actions. No person shall be subject to be twice put in jeop-
 11 ardy for the same offense; nor shall he be compelled in any
 12 criminal case to be a witness against himself; nor be deprived
 13 of life, liberty or property without due process of law; nor
 14 shall private property be taken for public use, without just
 15 compensation.

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ALABAMA.

That the great, general and essential principles of liberty and free government may be recognized and established, we declare:

1. I.

That all men are equally free and independent; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty and the pursuits of happiness.

6. I.

That the people shall be secure in

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their persons, homes, papers, and possessions, from unreasonable seizures or searches, and that no warrant shall issue to search any place, or to seize any person or thing without probable cause, supported by oath or affirmation.

7. I.

That in all criminal prosecutions, the accused has a right to be heard by himself and counsel, or either; to demand the nature and cause of the accusation; to

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have a copy thereof; to be confronted by the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and in all prosecutions by indictment a speedy, public trial, by an impartial jury of the county or district in which the offense was committed; and that he shall not be compelled to give evidence against himself, nor be deprived of life, liberty or property, but by due process of law.

8. I.

That no person shall be accused, or arrested, or detained, except in cases ascertained by law, and according to the forms which the same has prescribed; and no person shall be punished, but by virtue of a law established and promulgated prior to the offense, and legally applied.

9. I.

That no person shall for an indictable offense, be proceeded against criminally, by information, except in cases arising in the militia and volunteer forces when in actual service, or, by leave of the court, for malfeasance, misdemeanor, extortion, and oppression in office, otherwise than is provided in this Constitution: Provided, That in case of petit larceny, assault, assault and battery, affray, unlawful assemblies, vagrancy, and other misdemeanors, the General Assembly may, by law, dispense with a grand jury, and authorize such prosecutions and proceedings before justices of the peace, or such other inferior courts as may be by law established.

10. I.

That no person shall, for the same offense, be twice put in jeopardy of life or limb.

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11. I.

That no person shall be barred from prosecuting or defending before any tribunal in this State, by himself or counsel, any civil cause to which he is a party.

21. I.

That no person shall be imprisoned for debt.

27. I.

That every citizen has a right to bear arms in defense of himself and State.

28. I.

That no standing army shall be kept up without the consent of the General Assembly, and in that case no appropriation for its support shall be made for a longer term than one year; and the military shall, in all cases, and at all times, be in strict subordination to the civil power.

29. I.

That no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

33. I.

That no form of slavery shall exist in this State; and there shall be no involuntary servitude, otherwise than for the punishment of crime, of which the party shall have been duly convicted.

36. I.

Foreigners, who are or may hereafter become bona fide residents of this State, shall enjoy the same rights in respect to the possession, enjoyment and inheritance of property, as native born citizens.

37. I.

That the sole object and only legitimate end of government is to protect the citizen in the enjoy-

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ment of life, liberty and property, and when the government assumes other functions it is usurpation and oppression.

ARKANSAS.**2. II.**

All men are created equally free and independent, and have certain inherent and inalienable rights, amongst which are those of enjoying and defending life and liberty; of acquiring, possessing and protecting property and reputation, and of pursuing their own happiness. To secure these rights governments are instituted among men, deriving their just powers from the consent of the governed.

5. II.

The citizens of this State shall have the right to keep and bear arms for their common defense.

8. II.

No person shall be held to answer a criminal charge unless on the presentment or indictment of a grand jury, except in cases of impeachment or cases such as the General Assembly shall make cognizable by justices of the peace and courts of similar jurisdiction; or cases arising in the army and navy of the United States; or in the militia when in actual service in time of war or public danger; and no person, for the same offense, shall be twice put in jeopardy of life or liberty; but if, in any criminal prosecution, the jury be divided in opinion, the court before which the trial shall be had may, in its discretion, discharge the jury and commit or bail the accused for trial at the same or the next term of said court; nor shall any person be compelled, in any criminal case, to

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be a witness against himself; nor be deprived of life, liberty or property without due process of law. All persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great.

15. II.

The right of the people of this State to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue except upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized.

16. II.

No person shall be imprisoned for debt in any civil action, on mesne or final process, unless in cases of fraud.

20. II.

No distinction shall ever be made by law between resident aliens and citizens in regard to the possession, enjoyment or descent of property.

21. II.

No person shall be taken or imprisoned, or dis seized of his estate, freehold, liberties or privileges; or outlawed, or in any manner destroyed or deprived of his life, liberty or property; except by the judgment of his peers or the law of the land; nor shall any person, under any circumstances, be exiled from the State.

27. II.

There shall be no slavery in this State, nor involuntary servitude, except as a punishment for crime. No standing army shall be kept in time of peace; the

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military shall at all times be in strict subordination to the civil power; and no soldier shall be quartered in any house, or on any premises, without the consent of the owner in time of peace; nor in time of war, except in a manner prescribed by law.

CALIFORNIA.

1. I.

All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness.

8. I.

Offenses heretofore required to be prosecuted by indictment, shall be prosecuted by information, after examination and commitment by a magistrate, or by indictment, with or without such examination and commitment, as may be prescribed by law. A grand jury shall be drawn and summoned at least once a year in each county.

12. I.

The military shall be subordinate to the civil power. No standing army shall be kept up by this State in time of peace, and no soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, except in the manner prescribed by law.

13. I.

In criminal prosecutions, in any court whatever, the party accused shall have the right to a speedy and public trial; to have the process of the court to compel the attendance of witnesses in his behalf, and to appear and defend, in person and with counsel. No person shall be

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twice put in jeopardy for the same offense; nor be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty or property without due process of law. The Legislature shall have power to provide for the taking, in the presence of the party accused and his counsel, of depositions of witnesses, in criminal cases other than cases of homicide, when there is reason to believe that the witness, from inability or other cause, will not attend at the trial.

15. I.

No person shall be imprisoned for debt in any civil action, on meane or final process, unless in cases of fraud, nor in civil actions for torts, except in cases of wilful injury to person or property; and no person shall be imprisoned for a militia fine in time of peace.

17. I.

Foreigners of the white race or of African descent, eligible to become citizens of the United States under the naturalization laws thereof, while bona fide residents of this State, shall have the same rights in respect to the acquisition, possession, enjoyment, transmission and inheritance of property as native born citizens.

18. I.

Neither slavery nor involuntary servitude, unless for the punishment of crime, shall ever be tolerated in this State.

19. I.

The right of the people to be secure in their persons, houses, papers and effects against unreasonable seizures and searches shall not be violated; and no warrant shall issue but on probable cause, supported by oath or

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affirmation, particularly describing the place to be searched and the person and things to be seized.

COLORADO.**3. II.**

That all persons have certain natural, essential and inalienable rights among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing and protecting property, and of seeking and obtaining their safety and happiness.

7. II.

That the people shall be secure in their persons, papers homes and effects from unreasonable searches and seizures; and no warrant to search any place or seize any person or thing shall issue without describing the place to be searched or the person or thing to be seized, as near as may be, nor without probable cause, supported by oath or affirmation, reduced to writing.

8. II.

That, until otherwise provided by law, no person shall, for a felony, be proceeded against criminally, otherwise than by indictment, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger. In all other cases, offenses shall be prosecuted criminally by indictment or information.

12. II.

No person shall be imprisoned for debt, unless upon refusal to deliver up his estate for the benefit of his creditors, in such manner as shall be prescribed by law, or in cases of tort or where there is a strong presumption of fraud.

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13. II.

That the right of no person to keep and bear arms in defense of his home, person and property, or in aid of the civil power when thereto legally summoned, shall be called in question; but nothing herein contained shall be construed to justify the practice of carrying concealed weapons.

16. II.

That in criminal prosecutions the accused shall have the right to appear and defend in person and by counsel; to demand the nature and cause of the accusation; to meet the witnesses against him face to face; to have process to compel the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

18. II.

That no person shall be compelled to testify against himself in a criminal case, nor shall any person be twice put in jeopardy for the same offense. If the jury disagree, or if the judgment be reversed for error in law, the accused shall not be deemed to have been in jeopardy.

22. II.

That the military shall always be in strict subordination to the civil power; that no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war except in the manner prescribed by law.

25. II.

That no person shall be deprived of life, liberty or property, without due process of law.

26. II.

That there shall never be in this State either slavery or involun-

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tary servitude, except as a punishment for crime, whereof the party shall have been duly convicted.

27. II.

Aliens, who are or who may hereafter become bona fide residents of this State, may acquire, inherit, possess, enjoy and dispose of property, real and personal, as native born citizens.

CONNECTICUT.

1. I.

All men are born equally free and independent, and have certain inherent and inalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing and protecting property and reputation, and of pursuing their own happiness.

8. I.

The people shall be secure in their persons, houses, papers and possessions from unreasonable searches or seizures, and no warrant to search any place or to seize any person or things shall issue without describing them, as nearly as may be, nor without probable cause, supported by oath or affirmation.

9. I.

In all criminal prosecutions, the accused shall have a right to be heard by himself and by counsel; to demand the nature and cause of the accusation; to be confronted by the witnesses against him; to have compulsory process to obtain witnesses in his favor, and in all prosecutions, by indictment or information, a speedy public trial by an impartial jury. He shall not be compelled to give evidence against himself, nor be deprived of life, liberty or property, but by due course of law. And no

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person shall be holden to answer for any crime, the punishment of which may be death or imprisonment for life, unless on a presentment or indictment of a grand jury; except in the land or naval forces, or in the militia when in actual service in time of war or public danger.

10. I.

No person shall be arrested, detained or punished, except in cases clearly warranted by law.

17. I.

Every citizen has a right to bear arms in defense of himself and the State.

19. I.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war but in a manner to be prescribed by law.

DELAWARE.

6. I.

The people shall be secure in their persons, houses, papers and possessions from unreasonable searches and seizures, and no warrant to search any place or to seize any person or thing shall issue without describing them as particularly as may be; nor then, unless there be probable cause, supported by oath or affirmation.

7. I.

In all criminal prosecutions, the accused hath a right to be heard by himself and his counsel, to be plainly and fully informed of the nature and cause of the accusation against him, to meet the witnesses in their examination face to face, to have compulsory process in due time, on application by himself, his friends or counsel, for obtaining witnesses in his favor, and a speedy and public trial by an impartial jury;

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he shall not be compelled to give evidence against himself nor shall be deprived of life, liberty or property, unless by the judgment of his peers or the law of the land.

8. I.

No person shall for any indictable offense be proceeded against criminally by information, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger; and no person shall be for the same offense twice put in jeopardy of life or limb; nor shall any man's property be taken or applied to public use without the consent of his representatives, and without compensation being made.

17. I.

No standing army shall be kept up without the consent of the Legislature; and the military shall, in all cases and at all times, be in strict subordination to the civil power.

18. I.

No soldier shall in time of peace be quartered in any house without the consent of the owner; nor in time of war, but by a civil magistrate, in a manner to be prescribed by law.

FLORIDA.

1.

All men are equal before the law, and have a certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing happiness and obtaining safety.

10.

No person shall be tried for a capital crime or other felony, unless on presentment or indictment by a grand jury, except as is other-

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wise provided in this Constitution, and except in cases of impeachment, and in cases in the militia when in active service in time of war, or which the State, with the consent of Congress, may keep, in time of peace.

11.

In all criminal prosecutions the accused shall have the right to a speedy and public trial, by an impartial jury, in the county where the crime was committed, and shall be heard by himself, or counsel, or both, to demand the nature and cause of the accusation against him, to meet the witnesses against him face to face, and have compulsory process for the attendance of witnesses in his favor, and shall be furnished with a copy of the indictment against him.

12.

No person shall be subject to be twice put in jeopardy for the same offense, nor be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property without due process of law; nor shall private property be taken without just compensation.

16.

No person shall be imprisoned for debt, except in cases of fraud.

18.

Foreigners shall have the same rights as to the ownership, inheritance and disposition of property in this State as citizens of the State.

19.

Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party has been duly convicted, shall ever be allowed in this State.

20.

The right of the people to bear arms in defense of himself and

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the lawful authority of the State shall not be infringed, but the Legislature may prescribe the manner in which they may be borne.

22.

The right of the people to be secure in their persons, houses, papers and effects against unreasonable seizures and searches shall not be violated, and no warrants issued but upon probable cause, supported by oath or affirmation, particularly describing the place or places to be searched and the person or persons and thing or things to be seized.

23.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war except in the manner prescribed by law.

GEORGIA.

1. I.

Par. II. Protection to person and property is the paramount duty of government, and shall be impartial and complete.

Par. III. No person shall be deprived of life, liberty or property except by due process of law.

Par. IV. No person shall be deprived of the right to prosecute or defend his own cause in any of the courts of this State, in person, by attorney, or both.

Par. VI. No person shall be compelled to give testimony tending in any way to criminate himself.

Par. VII. Neither banishment beyond the limits of the State, nor whipping, as a punishment for crime, shall be allowed.

Par. VIII. No person shall be put in jeopardy of life, or liberty, more than once for the same offense, save on his, or her, own

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motion for a new trial after conviction, or in case of mistrial.

1.

Par. XVI. The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue except upon probable cause, supported by oath, or affirmation, particularly describing the place, or places, to be searched, and the persons or things to be seized.

Par. XVII. There shall be within the State of Georgia neither slavery nor involuntary servitude, save as a punishment for crime after legal conviction thereof.

Par. XIX. The civil authority shall be superior to the military, and no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except by the civil magistrate, in such manner as may be provided by law.

Par. XXI. There shall be no imprisonment for debt.

Par. XXV. All citizens of the United States, resident in this State, are hereby declared citizens of this State; and it shall be the duty of the General Assembly to enact such laws as will protect them in the full enjoyment of the rights, privileges and immunities due to such citizenship.

2. I.

Par. I. In all prosecutions or indictments for libel, the truth may be given in evidence; and the jury in all criminal cases shall be the judges of the law and the facts. The power of the judges to grant new trials in case of conviction is preserved.

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3. I.

Par. I. In case of necessity, private ways may be granted upon just compensation being first paid by the applicant. Private property shall not be taken, or damaged, for public purposes, without just and adequate compensation being first paid.

IDAHO.

1. I.

All men are by nature free and equal and have certain inalienable rights, among which are enjoying and defending life and liberty, acquiring, possessing and protecting property, pursuing happiness and securing safety.

8. I.

No person shall be held to answer for any felony or criminal offense of any grade, unless on presentment or indictment of a grand jury or on information of the public prosecutor, after a commitment by a magistrate, except in cases of impeachment, in cases cognizable by probate courts or by justices of the peace, and in cases arising in the militia when in actual service in time of war or public danger. Provided, That a grand jury may be summoned upon the order of the district court in the manner provided by law: And provided, further, That after a charge has been ignored by a grand jury, no person shall be held to answer or for trial therefor upon information of the public prosecutor.

11. I.

The people have the right to bear arms for their security and defense; but the Legislature shall regulate the exercise of this right by law.

12. I.

The military shall be subordinate to the civil power; and no

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soldier, in time of peace, shall be quartered in any house without the consent of its owner, nor in time of war, except in the manner prescribed by law.

13. I.

In all criminal prosecutions the party accused shall have the right to a speedy and public trial; to have the process of the court to compel the attendance of witnesses in his behalf, and to appear and defend in person with counsel. No person shall be twice put in jeopardy for the same offense; nor be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty or property without due process of law.

15. I.

There shall be no imprisonment for debt in this State, except in cases of fraud.

17. I.

The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue without probable cause, shown by affidavit, particularly describing the place to be searched and the person or thing to be seized.

ILLINOIS.

1. I.

All men are by nature free and independent, and have certain inherent and inalienable rights. Among these are life, liberty and the pursuit of happiness. To secure these rights and the protection of property, governments are instituted among men, deriving their just powers from the consent of the governed.

2. II.

No person shall be deprived of

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life, liberty or property without due process of law.

6. II.

The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue without probable cause, supported by affidavit, particularly describing the place to be searched and the person or things to be seized.

8. II.

No person shall be held to answer for a criminal offense, unless on indictment of a grand jury, except in cases in which the punishment is by fine, or imprisonment otherwise than in the penitentiary, in cases of impeachment, and in cases arising in the army and navy, or in the militia, when in active service in time of war or public danger: Provided, That the grand jury may be abolished by law in all cases.

9. II.

In all criminal prosecutions the accused shall have the right to appear and defend in person and by counsel; to demand the nature and cause of the accusation, and to have a copy thereof; to meet the witnesses face to face, and to have process to compel the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

10. II.

No person shall be compelled in any criminal case to give evidence against himself, or be twice put in jeopardy for the same offense.

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12. II.

No person shall be imprisoned for debt, unless upon refusal to deliver up his estate for the benefit of his creditors, in such manner as shall be prescribed by law; or in cases where there is strong presumption of fraud.

16. II.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war except in the manner prescribed by law.

19. II.

Every person ought to find a certain remedy in the laws for all injuries and wrongs which he may receive in his person, property or reputation; he ought to obtain, by law, right and justice freely, and without being obliged to purchase it, completely and without denial, promptly and without delay.

INDIANA.

1. I.

We declare that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty and the pursuit of happiness; that all power is inherent in the people; and that all free governments are, and of right ought to be, founded on their authority and instituted for their peace, safety and well being. For the advancement of these ends, the people have, at all times, an indefeasible right to alter and reform their government.

11. I.

The right of the people to be secure in their persons, houses, papers and effects against unreasonable search or seizure shall not be violated, and no warrant shall issue but upon

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probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized.

12. I.

All courts shall be open; and every man, for injury done to him in his person, property or reputation, shall have due course of law. Justice shall be administered freely and without purchase; completely, and without denial; speedily, and without delay.

13. I.

In all criminal prosecutions the accused shall have the right of a public trial, by an impartial jury in the county in which the offense shall have been committed; to be heard by himself and counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process for obtaining witnesses in his favor.

14. I.

No person shall be put in jeopardy twice for the same offense. No person, in any criminal prosecution, shall be compelled to testify against himself.

22. I.

The privilege of the debtor to enjoy the necessary comforts of life shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for the payment of any debt or liability hereafter contracted; and there shall be no imprisonment for debt, except in case of fraud.

32. I.

The people shall have a right to bear arms for the defense of themselves and the State.

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34. I.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war but in a manner to be prescribed by law.

37. I.

There shall be neither slavery nor involuntary servitude within the State otherwise than for the punishment of crime, whereof the party shall have been duly convicted. No indenture of any negro or mulatto, made or executed out of the bounds of the State shall be valid within the State.

IOWA.

1. I.

All men are by nature free and equal, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness.

8. I.

The right of the people to be secure in their persons, houses, papers and effects against unreasonable seizures and searches shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched and the persons and things to be seized.

10. I.

In all criminal prosecutions, and in cases involving the life or liberty of an individual, the accused shall have a right to a speedy and public trial by an impartial jury; to be informed of the accusation against him, to have a copy of the same when demanded; to be confronted with the witnesses against him; to have compulsory process for his

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witnesses; and, to have the assistance of counsel.

11. I.

All offenses less than felony and in which the punishment does not exceed a fine of one hundred dollars or imprisonment for thirty days, shall be tried summarily before a justice of the peace, or other officer authorized by law, on information under oath, without indictment, or the intervention of a grand jury, saving to the defendant the right of appeal; and no person shall be held to answer for any higher criminal offense unless on presentment or indictment by a grand jury, except in cases arising in the army or navy, or in the militia, when in actual service, in time of war or public danger.

12. I.

No person shall, after acquittal, be tried for the same offense. All persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses where the proof is evident or the presumption great.

14. I.

The military shall be subordinate to the civil power. No standing army shall be kept up by the State in time of peace; and in time of war, no appropriation for a standing army shall be for a longer time than two years.

15. I.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in the manner prescribed by law.

19. I.

No person shall be imprisoned for debt in any civil action, on mesne or final process, unless in case of fraud; and no person

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shall be imprisoned for a militia fine in time of peace.

22. I.

Foreigners who are, or may hereafter become residents of this State, shall enjoy the same rights in respect to the possession, enjoyment and descent of property, as native born citizens.

23. I.

There shall be no slavery in this State, nor shall there be involuntary servitude, unless for the punishment of crime.

KANSAS.

1.

All men are possessed of equal and inalienable natural rights, among which are life, liberty and the pursuit of happiness.

4.

The people have the right to bear arms for their defense and security; but standing armies, in time of peace, are dangerous to liberty, and shall not be tolerated, and the military shall be in strict subordination to the civil power.

6.

There shall be no slavery in this State; and no involuntary servitude, except for the punishment of crime, whereof the party shall have been duly convicted.

10.

In all prosecutions, the accused shall be allowed to appear and defend in person, or by counsel; to demand the nature and cause of the accusation against him; to meet the witnesses face to face, and to have compulsory process to compel the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

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No person shall be a witness against himself, or be twice put in jeopardy for the same offense.

12.

No person shall be transported from the State for any offense committed within the same, and no conviction in the State shall work corruption of blood or forfeiture of estate.

14.

No soldier shall, in time of peace, be quartered in any house without the consent of the occupant, nor in time of war, except as prescribed by law.

15.

The right of the people to be secure in their persons and property against unreasonable searches and seizures, shall be inviolate; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched and the persons or property to be seized.

16.

No person shall be imprisoned for debt except in cases of fraud.

17.

No distinction shall ever be made between citizens of the State of Kansas and the citizens of other States and Territories of the United States in reference to the purchase, enjoyment or descent of property. The rights of aliens in reference to the purchase, enjoyment or descent of property may be regulated by law. (Adopted 1888.)

KENTUCKY.

2.

Absolute and arbitrary power over the lives, liberty and property of freemen exists nowhere in a republic, not even in the largest majority.

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10.

The people shall be secure in their persons, houses, papers and possessions from unreasonable search and seizure; and no warrant shall issue to search any place or seize any person or thing without describing them as nearly as may be, nor without probable cause, supported by oath or affirmation.

11.

In all criminal prosecutions, the accused has the right to be heard by himself and counsel; to demand the nature and cause of the accusation against him; to meet the witnesses face to face, and to have compulsory process for obtaining witnesses in his favor. He cannot be compelled to give evidence against himself, nor can he be deprived of his life, liberty or property, unless by the judgment of his peers or the law of the land; and in prosecutions by indictment or information, he shall have a speedy public trial by an impartial jury of the vicinage; but the General Assembly may provide by a general law for a change of venue in such prosecutions for both the defendant and the commonwealth, the change to be made to the most convenient county in which a fair trial can be obtained.

12.

No person, for an indictable offense, shall be proceeded against criminally by information, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger, or by leave of court for oppression or misdemeanor in office.

13.

No person shall, for the same offense, be twice put in jeopardy

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of his life or limb, nor shall any man's property be taken or applied to public use without the consent of his representatives, and without just compensation being previously made to him.

18.

The person of a debtor, where there is not strong presumption of fraud, shall not be continued in prison after delivering up his estate for the benefit of his creditors in such manner as shall be prescribed by law.

20.

No person shall be attainted of treason or felony by the General Assembly, and no attainder shall work corruption of blood, nor, except during the life of the offender, forfeiture of estate to the Commonwealth.

21.

The estate of such persons as shall destroy their own lives shall descend or vest as in cases of natural death; and if any person shall be killed by casualty, there shall be no forfeiture by reason thereof.

22.

No standing army shall, in time of peace, be maintained without the consent of the General Assembly; and the military shall, in all cases and at all times, be in strict subordination to the civil power; nor shall any soldier, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in a manner prescribed by law.

25.

Slavery and involuntary servitude in this State are forbidden, except as a punishment for crime, whereof the party shall have been convicted.

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225.

No armed person or bodies of men shall be brought into this State for the preservation of the peace or the suppression of domestic violence, except upon the application of the General Assembly, or of the Governor, when the General Assembly may not be in session.

241.

Whenever the death of a person shall result from an injury inflicted by negligence or wrongful act, then, in every such case, damages may be recovered for such death from the corporations and persons so causing the same. Until otherwise provided by law, the action to recover such damages shall, in all cases, be prosecuted by the personal representative of the deceased person. The General Assembly may provide how the recovery shall go and to whom belong; and until such provision is made the same shall form part of the personal estate of the deceased person.

LOUISIANA.

1.

All government of right originates with the people, is founded on their will alone, and is instituted solely for the good of the whole, deriving its just powers from the consent of the governed. Its only legitimate end is to protect the citizen in the enjoyment of life, liberty and property. When it assumes other functions it is usurpation and oppression.

2.

The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated, and no warrant shall issue but upon probable cause, supported by

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oath or affirmation, and particularly describing the place to be searched and the person or things to be seized.

5.

There shall be neither slavery nor involuntary servitude in this State otherwise than for the punishment of crime, whereof the party shall have been duly convicted. Prosecutions shall be by indictment or information: Provided, That no person shall be held to answer for a capital crime unless on a presentment or indictment by a grand jury, except in cases arising in the militia when in actual service in time of war or public danger, nor shall any person be twice put in jeopardy of life or liberty for the same offense, except on his own application for a new trial, or where there is a mistrial, or a motion in arrest of judgment is sustained.

6.

No person shall be compelled to give evidence against himself in a criminal case or in any proceeding that may subject him to criminal prosecution, except where otherwise provided in this Constitution, nor be deprived of life, liberty or property without due process of law.

8.

In all criminal prosecutions the accused shall enjoy the right to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to defend himself, and to have the assistance of counsel and to have the right to challenge jurors peremptorily, the number of challenges to be fixed by statute.

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13.

This enumeration of rights shall not be construed to deny or impair other rights of the people not herein expressed.

Art. 162. The military shall be in subordination to the military power, and no soldier shall, in time of peace, be quartered in any house without the consent of the owner.

MAINE.

1. I.

All men are born equally free and independent, and have certain natural, inherent and inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and of pursuing and obtaining safety and happiness.

5. I.

The people shall be secure in their persons, houses, papers and possessions from all unreasonable searches and seizures; and no warrant to search any place or seize any person or thing shall issue without a special designation of the place to be searched and the person or thing to be seized, nor without probable cause, supported by oath or affirmation.

6. I.

In all criminal prosecutions, the accused shall have a right to be heard by himself and his counsel, or either, at his election;

To demand the nature and cause of the accusation, and have a copy thereof;

To be confronted by the witnesses against him;

To have compulsory process for obtaining witnesses in his favor;

To have a speedy, public and impartial trial, and, except in trials by martial law or impeachment,

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by a jury of the vicinity. He shall not be compelled to furnish or give evidence against himself, nor be deprived of his life, liberty, property or privileges, but by judgment of his peers, or by the law of the land.

7. I.

No person shall be held to answer for a capital or infamous crime, unless on a presentment or indictment of a grand jury, except in cases of impeachment, or in such cases of offenses as are usually cognizable by a justice of the peace, or in cases arising in the army or navy, or in the militia when in actual service in time of war or public danger. The Legislature shall provide by law a suitable and impartial mode of selecting juries and their usual number and unanimity, in indictments and convictions, shall be held indispensable.

8. I.

No person, for the same offense, shall be twice put in jeopardy of life or limb.

16. I.

Every citizen has a right to keep and bear arms for the common defense; and this right shall never be questioned.

17. I.

No standing army shall be kept up in time of peace without the consent of the Legislature, and the military shall, in all cases, and at all times, be in strict subordination to the civil power.

18. I.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner or occupant, nor in time of war, but in a manner to be prescribed by law.

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MARYLAND.

21.

That in all criminal prosecutions every man hath a right to be informed of the accusation against him; to have a copy of the indictment, or charge, in due time (if required) to prepare for his defense; to be allowed counsel; to be confronted with the witnesses against him; to have process for his witnesses; to examine the witnesses for and against him on oath; and to a speedy trial by an impartial jury, without whose unanimous consent he ought not to be found guilty.

22.

That no man ought to be compelled to give evidence against himself in a criminal case.

23.

That no man ought to be taken or imprisoned or dis seized of his freehold, liberties or privileges, or outlawed, or exiled, or, in any manner, destroyed or deprived of his life, liberty or property, but by the judgment of his peers, or by the law of the land.

24.

That slavery shall not be re-established in this State; but having been abolished under the policy and authority of the United States, compensation, in consideration thereof, is due from the United States.

26.

That all warrants, without oath or affirmation, to search suspected places, or to seize any person or property, are grievous and oppressive; and all general warrants to search suspected places, or to apprehend suspected persons, without naming or describing the place or the person in special, are illegal, and ought not to be granted.

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29.

That standing armies are dangerous to liberty, and ought not to be raised, or kept up, without the consent of the Legislature.

31.

That no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in the manner prescribed by law.

40. III.

The General Assembly shall enact no law authorizing private property to be taken for public use, without just compensation, as agreed upon between the parties, or awarded by a jury, being first paid, or tendered to the parties entitled to such compensation.

MASSACHUSETTS.

1.

All men are born free and equal, and have certain natural, essential and unalienable rights, among which may be reckoned the right of enjoying and defending their lives and liberties, that of acquiring, possessing and protecting property; in fine, that of seeking and obtaining their safety and happiness.

VIII. In order to prevent those who are vested with authority from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to public life; and to fill up vacant places by certain and regular elections and appointments.

10.

Each individual of the society has the right to be protected by it in the enjoyment of his life, liberty and property, according to stand-

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ing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service, or an equivalent, when necessary; but no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his own consent or that of the representative body of the people. In fine, the people of this Commonwealth are not controllable by any other laws than those to which their Constitutional representative body have given their consent. And whenever the public exigencies require that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor.

12.

No subject shall be held to answer for any crimes or offense, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all profits that may be favorable to him; to meet the witnesses face to face, and to be fully heard in his defense by himself, or his counsel, at his election. And no subject shall be arrested, imprisoned, despoiled or deprived of his property, immunities or privileges, put out of the protection of the law, exiled or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land.

And the Legislature shall not make any law that shall subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury.

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XIII. In criminal prosecutions the verification of facts in the vicinity of where they happen, is one of the greatest securities of the life, liberty and property of the citizen.

14.

Every subject has a right to be secure from all unreasonable searches and seizures of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not supported by oath.

17.

The people have a right to keep and bear arms for the common defense. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained without the consent of the Legislature; and the military power shall always be held in an exact subordination to the civil authority, and be governed by it.

27.

In time of peace, no soldier ought to be quartered in any house without the consent of the owner; and in time of war, such quarters ought not to be made but by the civil magistrate, in a manner ordained by the Legislature.

XXVIII. No person can in any case be subject to law-martial, or to any penalties or pains, by virtue of that law, except those employed in the army or navy, and except the militia in actual service, but by authority of the Legislature.

24 VI. MICHIGAN.

Any suitor in any court of this State shall have the right to prosecute or defend his suit,

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either in his own proper person, or by an attorney or agent of his choice.

26. VI.

The person, houses, papers and possessions of every person shall be secure from unreasonable searches and seizures. No warrant to search any place or to seize any person or things shall issue without describing them, nor without probable cause, supported by oath or affirmation.

29. VI.

No person, after acquittal upon the merits, shall be tried for the same offense. All persons shall, before conviction, be bailable by sufficient sureties, except for murder and treason, when the proof is evident or the presumption great.

32. VII.

No person shall be compelled in any criminal case to be a witness against himself, nor to be deprived of life, liberty or property, without due process of law.

7. XVIII.

Every person has a right to bear arms for the defense of himself and the State.

9. XVIII.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner or occupant; nor in time of war except in a manner prescribed by law.

11. XVIII.

Neither slavery nor involuntary servitude, unless for the punishment for crime, shall ever be tolerated in this State.

13. XVIII.

Allens who are, or who may hereafter become, bona fide residents of this State shall enjoy the same rights in respect to the

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possession, enjoyment and inheritance of property as native born citizens.

MINNESOTA.

6. I.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the county or district wherein the crime shall have been committed, which county or district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel in his defense.

7. I.

No person shall be held to answer for a criminal offense unless on the presentment or indictment of a grand jury, except in cases of impeachment, or in cases cognizable by justices of the peace, or arising in the army or navy, or in the militia when in actual service in time of war or public danger; and no person for the same offense shall be put twice in jeopardy of punishment, nor shall be compelled in any criminal case to (be) witness against himself, nor be deprived of life, liberty or property, without due process of law. All persons shall before conviction, be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended, unless, when in cases of rebellion or invasion, the public safety may require.

10. I.

The right of the people to be secure in their persons, houses,

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papers and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized.

12. I.

No person shall be imprisoned for debt in this State, but this shall not prevent the Legislature from providing for imprisonment, or holding to bail, persons charged with fraud in contracting said debt. A reasonable amount of property shall be exempt from seizure or sale for the payment of any debt or liability. The amount of such exemption shall be determined by law: Provided, however, That all property so exempted shall be liable to seizure and sale for any debts incurred to any person for work done or materials furnished in the construction, repair or improvement of the same; and provided, further, That such liability to seizure and sale shall also extend to all real property for any debt incurred to any laborer or servant for labor or service performed.

14. I.

The military shall be subordinate to the civil power, and no standing army shall be kept up in this State in time of peace.

MISSISSIPPI.

12. III.

The right of every citizen to keep and bear arms in defense of his home, person and property or in aid of the civil power, when thereto legally summoned, shall not be called in question; but the Legislature may regulate

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or forbid carrying concealed weapons.

14. III.

No person shall be deprived of life, liberty or property, except by due process of law.

15. III.

There shall be neither slavery nor involuntary servitude in this State, otherwise than in the punishment of crime, whereof the party shall have been duly convicted.

22. III.

No person's life or liberty shall be twice placed in jeopardy for the same offense; but there must be an actual acquittal or conviction on the merits to bar another prosecution.

23. III.

The people shall be secure in their persons, houses and possessions from unreasonable seizure on search; and no warrant shall be issued without probable cause, supported by oath or affirmation, especially designating the place to be searched and the person or thing to be seized.

25. III.

No person shall be debarred from prosecuting or defending any civil cause, for or against him or herself before any tribunal in this State, by him or herself, or counsel, or both.

26. III.

In all criminal prosecutions the accused shall have a right to be heard by himself or counsel, or both, to demand the nature and cause of the accusation, to be confronted by the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and in all prosecutions by indictment or information, a speedy and public trial by an impartial jury of the

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county where the offense was committed; and he shall not be compelled to give evidence against himself; but in prosecutions for rape, adultery, fornication, sodomy, or the crime against nature, the court may in its direction exclude from the court room all persons except such as are necessary in the conduct of the trial.

27. III.

No person shall, for any indictable offense, be proceeded against criminally by information, except in cases arising in the land or naval forces, or the militia when in actual service, or by leave of the court for misdemeanor in office; but the Legislature, in cases not punishable by death or by imprisonment in the penitentiary, may dispense with the inquest of the grand jury, and may authorize prosecutions before justices of the peace, or such other inferior court or courts as may be established, and the proceedings in such cases shall be regulated by law.

30. III.

There shall be no imprisonment for debt.

MISSOURI.

4. II.

That all constitutional government is intended to promote the general welfare of the people; that all persons have a natural right to life, liberty and the enjoyment of the gains of their own industry; that to give security to these things is the principal office of government, and that when government does not confer this security, it fails of its chief design.

11. II.

That the people shall be secure in their persons, papers, homes

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and effects from unreasonable searches and seizures; and no warrant to search any place or seize any person or thing shall issue without describing the place to be searched or the person or thing to be seized, as nearly as may be; nor without probable cause, supported by oath or affirmation reduced to writing.

12. II.

That no person shall, for felony, be proceeded against criminally otherwise than by indictment, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger; in all other cases, offenses shall be prosecuted criminally by indictment or information as concurrent remedies.

16. II.

That imprisonment for debt shall not be allowed, except for the non-payment of fines and penalties imposed for violation of law.

17. II.

That the right of no citizen to keep and bear arms in defense of his home, person and property or in aid of the civil power, when thereto legally summoned, shall be called in question; but nothing herein contained is intended to justify the practice of wearing concealed weapons.

22. II.

In criminal prosecutions the accused shall have the right to appear and defend, in person and by counsel; to demand the nature and cause of the accusation; to meet the witnesses against him face to face; to have process to compel the attendance of witnesses in his behalf; and a speedy public trial by an impartial jury of the county.

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23. II.

That no person shall be compelled to testify against himself in a criminal cause, nor shall any person after being once acquitted by a jury be again, for the same offense, put in jeopardy of life or liberty; but if the jury to which the question of his guilt or innocence is submitted fail to render a verdict, the court before which the trial is had may, in its discretion, discharge the jury and commit or bail the prisoner for trial at the next term of court, or if the state of business will permit, at the same term; and if judgment be arrested after a verdict of guilty on a defective indictment, or if judgment on a verdict of guilty be reversed for error in law, nothing herein contained shall prevent a new trial of the prisoner on a proper indictment, or according to correct principles of law.

27. II.

That the military shall always be in strict subordination to the civil power; that no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in the manner prescribed by law.

30. II.

That no person shall be deprived of life, liberty or property without due process of law.

31. II.

That there cannot be in this State either slavery or involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted.

MONTANA.

3. III.

All persons are born equally free, and have certain natural, essential and inalienable rights,

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among which may be reckoned the right of enjoying and defending their lives and liberties, of acquiring, possessing and protecting property, and of seeking and obtaining their safety and happiness in all lawful ways.

7. III.

The people shall be secure in their persons, papers, homes and effects from unreasonable searches and seizures, and no warrant to search any place or seize any person or thing shall issue without describing the place to be searched or the person or thing to be seized, nor without probable cause, supported by oath or affirmation, reduced to writing.

12. III.

No person shall be imprisoned for debt except in the manner prescribed by law, upon refusal to deliver up his estate for the benefit of his creditors, or in cases of tort, where there is strong presumption of fraud.

13. III.

The right of any person to keep or bear arms in defense of his own home, person and property or in aid of the civil power when thereto legally summoned shall not be called in question; but nothing herein contained shall be held to permit the carrying of concealed weapons.

16. III.

In all criminal prosecutions the accused shall have the right to appear and defend in person and by counsel; to demand the nature and cause of the accusation; to meet the witnesses against him face to face; to have process to compel the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the

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offense is alleged to have been committed, subject to the right of the State to have a change of venue for any of the causes for which the defendant may obtain the same.

18. III.

No person shall be compelled to testify against himself in a criminal proceeding, nor shall any person be twice put in jeopardy for the same offense.

22. III.

The military shall always be in strict subordination to the civil power; no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in the manner prescribed by law.

25. III.

Allens and denizens shall have the same right as citizens to acquire, purchase, possess, enjoy, convey, transmit and inherit mines and mining property, and milling, reduction, concentrating and other works, and real property necessary for or connected with the business of mining and treating ores and minerals: Provided, That nothing herein contained shall be construed to infringe upon the authority of the United States to provide for the sale or disposition of its mineral and other public lands.

27. III.

No person shall be deprived of life, liberty or property without due process of law.

28. III.

There shall never be in this State either slavery or involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted.

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31. III.

No armed person or persons, or armed body of men, shall be brought into this State for the preservation of the peace or the suppression of domestic violence, except upon the application of the Legislative Assembly or of the Governor, when the Legislative Assembly cannot be convened.

NEBRASKA.

1. I.

All persons are by nature free and independent, and have certain inherent and inalienable rights; among these are life, liberty and the pursuit of happiness. To secure these rights and the protection of property, governments are instituted among people, deriving their just powers from the consent of the governed.

2. I.

There shall be neither slavery nor involuntary servitude in this State, otherwise than for punishment of crime, whereof the party shall have been duly convicted.

3. I.

No person shall be deprived of life, liberty or property without due process of law.

7. I.

The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be seized.

10. I.

No person shall be held to answer for a criminal offense, except in cases in which the punishment is by fine or imprisonment, other-

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wise than in the penitentiary, in case of impeachment, and in cases arising in the army and navy or in the militia, when in active service in time of war or public danger, unless on a presentment or indictment of a grand jury: Provided, That the Legislature may by law provide for holding persons to answer for criminal offenses on information of a public prosecutor, and may by law abolish, limit, change, amend or otherwise regulate the grand jury system.

11. I.

In all criminal prosecutions the accused shall have the right to appear and defend in person or by counsel, to demand the nature and cause of accusation and to have a copy thereof, to meet the witnesses against him face to face; to have process to compel the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

12. I.

No person shall be compelled, in any criminal case, to give evidence against himself, or be twice put in jeopardy for the same offense.

20. I.

No person shall be imprisoned for debt in any civil action on mesne or final process, unless in cases of fraud.

25. I.

No distinction shall ever be made by law between resident aliens and citizens in reference to the possession, enjoyment or descent of property.

NEVADA.

1. I.

All men are by nature free and equal, and have certain

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inalienable rights; among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness.

8. I.

No person shall be tried for a capital or other infamous crime (except in cases of impeachment, and in cases of the militia when in actual service, and the land and naval forces in time of war, or which this State may keep, with the consent of Congress, in time of peace, and in cases of petit larceny, under the regulations of the Legislature), except on presentment or indictment of a grand jury, and in any trial, in any court whatever, the party accused shall be allowed to appear and defend in person, and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offense; nor shall he be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation having been first taken or secured, except in cases of war, riot, fire, or great public peril, in which case compensation shall be afterward made.

11. I.

The military shall be subordinate to the civil power. No standing army shall be maintained by this State in time of peace; and in time of war no appropriation for a standing army shall be for a longer time than two years.

12. I.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner,

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nor in time of war, except in the manner to be prescribed by law.

14. I.

The privilege of the debtor to enjoy the necessary comforts of life shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for payment of any debts or liabilities hereafter contracted; and there shall be no imprisonment for debt, except in cases of fraud, libel, or slander, and no person shall be imprisoned for a militia fine in time of peace.

17. I.

Neither slavery nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this State.

NEW HAMPSHIRE.

12.

Every member of the community has a right to be protected by it in the enjoyment of his life, liberty and property. He is, therefore, bound to contribute his share in the expense of such protection, and to yield his personal service, when necessary, or an equivalent. But no part of a man's property shall be taken from him or applied to public uses without his own consent or that of the representative body of the people. Nor are the inhabitants of this State controllable by any other laws than those to which they or their representative body have given their consent.

15.

No subject shall be held to answer for any crime or offense until the same is fully and plainly, substantially and formally, described to him, or be compelled to accuse or furnish evidence against himself. And every sub-

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ject shall have a right to produce all proofs that may be favorable to himself, to meet the witnesses against him face to face, and to be fully heard in his defense by himself and counsel. And no subject shall be arrested, imprisoned, despoiled or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate, but by the judgment of his peers or the law of the land.

16.

No subject shall be liable to be tried, after an acquittal, for the same crime or offense; nor shall the Legislature make any law that shall subject any person to a capital punishment (excepting for the government of the army and navy, and the militia in actual service) without trial by jury.

19.

Every subject hath a right to be secure from all unreasonable searches and seizures of his person, his houses, his papers, and all his possessions. Therefore, all warrants to search suspected places or arrest a person for examination or trial, in prosecutions for criminal matters, are contrary to this right, if the cause or foundation of them be not perviously supported by oath or affirmation, and if the order, in a warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest or seizure; and no warrant ought to be issued but in cases and with the formalities prescribed by law.

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25.

Standing armies are dangerous to liberty, and ought not to be raised or kept up without the consent of the Legislature.

27.

No soldier in time of peace shall be quartered in any house without the consent of the owner; and in time of war such quarters ought not to be made but by the civil magistrate, in a manner ordained by the Legislature.

89.

The estate of such persons as may destroy their own lives shall not for that offense be forfeited, but descend or ascend in the same manner as if such persons had died in a natural way. Nor shall any article which shall accidentally occasion the death of any person be henceforth deemed a deodand, or in any wise forfeited on account of such misfortune.

NEW JERSEY.

1. I.

All men are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and of pursuing and obtaining safety and happiness.

6. I.

The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the papers and things to be seized.

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8. I.

In all criminal prosecutions the accused shall have the right to a speedy and public trial by an impartial jury; to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel in his defense.

9. I.

No person shall be held to answer for a criminal offense, unless on the presentment or indictment of a grand jury, except in cases of impeachment, or in cases cognizable by justices of the peace, or arising in the army or navy; or in the militia, when in actual service in time of war or public danger.

10. I.

No person shall, after acquittal, be tried for the same offense. All persons shall, before conviction, be bailable by sufficient sureties, except for capital offenses, when the proof is evident or presumption great.

17. I.

No person shall be imprisoned for debt in any action, or on any judgment founded upon contract, unless in cases of fraud; nor shall any person be imprisoned for a militia fine in time of peace.

NORTH CAROLINA.

1. I.

That the great, general and essential principles of liberty and free government may be recognized and established, and that the relations of this State to the Union and government of the United States, and those of the people of this State to the rest of the American people, may be

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defined and affirmed, we do declare:

That we hold it to be self-evident that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, the enjoyment of the fruits of their own labor, and the pursuit of happiness.

11. I.

In all criminal prosecutions, every man has the right to be informed of the accusation against him, and to confront the accusers and witnesses with other testimony, and to have counsel for his defense, and not be compelled to give evidence against himself or to pay costs, jail fees or necessary witness fees of the defense, unless found guilty.

12. I.

No person shall be put to answer any criminal charge, except as hereinafter allowed, but by indictment, presentment or impeachment.

15. I.

General warrants, whereby any officer or messenger may be commanded to search suspected places, without evidence of the act committed, or to seize any person or persons not named, whose offense is not particularly described and supported by evidence, are dangerous to liberty, and ought not to be granted.

16. I.

There shall be no imprisonment for debt in this State, except in cases of fraud.

17. I.

No person ought to be taken, imprisoned or dis seized of his freehold, liberties or privileges, or outlawed or exiled, or in any manner deprived of his life, lib-

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erty or property, but by the law of the land.

18. I.

Every person restrained of his liberty is entitled to a remedy to inquire into the lawfulness thereof, and to remove the same, if unlawful; and such remedy ought not to be denied or delayed.

24 I.

A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed; and, as standing armies in time of peace are dangerous to liberty, they ought not to be kept up, and the military should be kept under strict subordination to, and governed by, the civil power. Nothing herein contained shall justify the practice of carrying concealed weapons, or prevent the Legislature from enacting penal statutes against said practice.

33. I.

Slavery and involuntary servitude, otherwise than for crime, whereof the parties shall have been duly convicted, shall be and are hereby forever prohibited within this State.

NORTH DAKOTA.

1. I.

All men are by nature equally free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property and reputation, and pursuing and obtaining safety and happiness.

8. I.

Until otherwise provided by law, no person shall, for a felony, be proceeded against criminally,

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otherwise than by indictment, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger. In all other cases, offenses shall be prosecuted criminally by indictment or information. The Legislative Assembly may change, regulate or abolish the grand jury system.

12. I.

The military shall be subordinate to the civil power. No standing army shall be maintained by this State in time of peace, and no soldiers shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, except in the manner prescribed by law.

13. I.

In criminal prosecutions, in any court whatever, the accused shall have the right to a speedy and public trial; to have the process of the court to compel the attendance of witnesses in his behalf; and to appear and defend in person and with counsel. No person shall be twice put in jeopardy for the same offense, nor be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property without due process of law.

15. I.

No person shall be imprisoned for debt, unless upon refusal to deliver up his estate for the benefit of his creditors, in such manner as shall be prescribed by law; or in cases of tort; or where there is strong presumption of fraud.

17. I.

Neither slavery nor involuntary servitude, unless for the punish-

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ment of crime, shall ever be tolerated in this State.

18. I.

The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, particularly describing the place to be searched and the person and things to be seized.

The right of the people to be secure in their persons, papers and effects against unreasonable seizures and searches shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place or places to be searched and the person or persons and thing or things to be seized.

OHIO.

1. I.

All men are, by nature, free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and seeking and obtaining happiness and safety.

4. I.

The people have the right to bear arms for their defense and security; but standing armies in time of peace are dangerous to liberty, and shall not be kept up; and the military shall be in strict accordance to the civil power.

6. I.

There shall be no slavery in this State, nor involuntary servitude, unless for the punishment of crime.

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10. I.

Except in cases of impeachment, and cases arising in the army and navy, or in the militia when in actual service in time of war or public danger, and in cases of petit larceny and other inferior offenses, no person shall be held to answer for a capital, or otherwise infamous crime, unless on presentment or indictment of a grand jury. In any trial, in any court, the party accused shall be allowed to appear and defend in person and with counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process to procure the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed; nor shall any person be compelled, in any criminal case, to be a witness against himself, or be twice put in jeopardy for the same offense.

13. I.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, except in the manner prescribed by law.

14. I.

The right of the people to be secure in their persons, houses, papers and possessions against unreasonable searches and seizures shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, particularly describing the place to be searched and the person and things to be seized.

15. I.

No person shall be imprisoned for

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debt in any civil action, or mesne or final process, unless in cases of fraud.

OREGON.**9. I.**

No law shall violate the right of the people to be secure in their persons, houses, papers and effects against unreasonable search or seizure; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized.

11. I.

In all criminal prosecutions, the accused shall have the right to public trial by an impartial jury in the county in which the offense shall have been committed; to be heard by himself and counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process for obtaining witnesses in his favor.

12. I.

No person shall be put in jeopardy twice for the same offense, nor be compelled in any criminal prosecution to testify against himself.

19. I.

There shall be no imprisonment for debt except in case of fraud or absconding debtors.

27. I.

The people shall have the right to bear arms for the defense of themselves and the State, but the military shall be kept in strict subordination to the civil power.

28. I.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner,

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nor in time of war, except in manner prescribed by law.

31. I.

White foreigners, who are or may hereafter become residents of this State, shall enjoy the same rights in respect to the possession, enjoyment and descent of property as native born citizens. And the Legislative Assembly shall have power to restrain and regulate the immigration to this State of persons not qualified to become citizens of the United States.

PENNSYLVANIA.**8. I.**

The people shall be secure in their persons, houses, papers and possessions from unreasonable searches and seizures, and no warrant to search any place or to seize any person or things shall issue without describing them, as nearly as may be, nor without probable cause, supported by oath or affirmation subscribed to by the affiant.

9. I.

In all criminal prosecutions the accused hath a right to be heard by himself and his counsel, to demand the nature and cause of the accusation against him, to meet the witnesses face to face, to have compulsory process for obtaining witnesses in his favor, and, in prosecutions by indictment or information, a speedy public trial by an impartial jury of the vicinage; he cannot be compelled to give evidence against himself, nor can he be deprived of his life, liberty or property, unless by the judgment of his peers or the law of the land.

10. I.

No person shall, for any indictable offense, be proceeded

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against criminally by information, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or in public danger, or by leave of the court for oppression or misdemeanor in office. No person shall, for the same offense, be twice put in jeopardy of life or limb; nor shall private property be taken or applied to public use, without authority of law and without just compensation being first made or secured.

16. I.

The person of a debtor, where there is not strong presumption of fraud, shall not be continued in prison after delivering up his estate for the benefit of his debtors in such manner as shall be prescribed by law.

21. I.

The right of the citizens to bear arms in defense of themselves and the State shall not be questioned.

22. I.

No standing army shall, in time of peace, be kept up without the consent of the Legislature, and the military shall, in all cases and at all times, be in strict subordination to the civil power.

23. I.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner prescribed by law.

RHODE ISLAND.

4. I.

Slavery shall not be permitted in this State.

6. I.

The right of the people to be secure in their persons, papers and

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possessions against unreasonable searches and seizures shall not be violated; and no warrant shall issue but on complaint, in writing, upon probable cause, supported by oath or affirmation, and describing, as nearly as may be, the place to be searched and the persons or things to be seized.

7. I.

No person shall be held to answer for a capital or other infamous crime, unless on presentment or indictment by a grand jury, except in cases of impeachment, or of such offenses as are cognizable by a justice of the peace; or in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger. No person shall, after an acquittal, be tried for the same offense.

10. I.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury; to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining them in his favor, to have the assistance of counsel in his defense, and shall be at liberty to speak for himself; nor shall he be deprived of life, liberty or property, unless by the judgment of his peers, or the law of the land.

11. I.

The person of a debtor, when there is not strong presumption of fraud, ought not to be continued in prison, after he shall have delivered up his property for the benefit of his creditors, in such manner as shall be prescribed by law.

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18. I.

No man in a court of common law shall be compelled to give evidence criminating himself.

17. I.

The people shall continue to enjoy and freely exercise all the rights of fishery, and the privileges of the shore, to which they have been heretofore entitled under the charter and usages of the State. But no new right is intended to be granted, nor any existing right impaired by this declaration.

19. I.

No soldier shall be quartered in any house, in time of peace, without the consent of the owner; nor, in time of war, but in a manner to be prescribed by law.

22. I.

The right of the people to keep and bear arms shall not be infringed.

SOUTH CAROLINA.

1. I.

All men are born free and equal — endowed by their Creator with certain inalienable rights, among which are the rights of enjoying and defending their lives and liberties, of acquiring, possessing and protecting property, and of seeking and obtaining their safety and happiness.

2. I.

Slavery shall never exist in this State; neither shall involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted.

13. I.

No person shall be held to answer for any crime or offense until the same is fully, fairly, plainly, substantially and formally described to him; or be compelled to accuse or furnish evidence

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against himself; and every person shall have a right to produce all proofs that may be favorable to him, to meet the witnesses against him face to face, to have a speedy and public trial by an impartial jury, and to be fully heard in his defense by himself or by his counsel, or by both, as he may elect.

14. I.

No person shall be arrested, imprisoned, despoiled or dispossessed of his property, immunities or privileges, put out of the protection of the law, exiled or deprived of his life, liberty or estate, but by the judgment of his peers or the law of the land. And the General Assembly shall not enact any law that shall subject any person to punishment without trial by jury; nor shall he be punished but by virtue of a law already established, or promulgated prior to the offense, and legally applied.

18. I.

No person, after having been once acquitted by a jury, shall again, for the same offense, be put in jeopardy of his life or liberty.

19. I.

All offenses less than felony, and in which the punishment does not exceed a fine of one hundred dollars, or imprisonment for thirty days, shall be tried summarily before a justice of the peace, or other officer authorized by law, on information, under oath, without indictment or intervention of a grand jury, saving to the defendant the right of appeal; and no person shall be held to answer for any higher crime or offense unless on presentment of a grand jury, except in cases arising in the land and naval service, or in the militia

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when in actual service in time of war or public danger.

20. I.

No person shall be imprisoned for debt, except in cases of fraud; and a reasonable amount of property, as a homestead, shall be exempted from seizure or sale for the payment of any debts or liabilities, except for the payment of such obligations as are provided for in this Constitution.

22. I.

All persons have a right to be secure from unreasonable searches and seizures of their persons, houses, papers or possessions. All warrants shall be supported by oath or affirmation, and the order of a warrant to a civil officer to make search or seizure in suspected places, or to arrest one or more suspected persons, or to seize their property, shall be accompanied with a special designation of the persons or objects of search, arrest or seizure; and no warrant shall be issued but in the cases and with the formalities prescribed by the laws.

23. I.

Private property shall not be taken or applied for public use, or for the use of corporations, or for private use, without the consent of the owner or a just compensation being made therefor: Provided, however, That laws may be made securing to persons or corporations the right of way over the lands of either persons or corporations, and, for work of internal improvement, the right to establish depots, stations, turnouts, etc.; but a just compensation shall, in all cases, be first made to the owner.

28. I.

The people have a right to keep

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and bear arms for the common defense. As in times of peace armies are dangerous to liberty, they ought not to be maintained without the consent of the General Assembly. The military power ought always to be held in an exact subordination to the civil authority and be governed by it.

29. I.

In time of peace no soldier shall be quartered in any house without the consent of the owner; and in time of war, such quarters shall not be made but in a manner prescribed by law.

36. I.

All property subject to taxation shall be taxed in proportion to its value. Each individual of society has a right to be protected in the enjoyment of life, liberty and property, according to standing laws. He should, therefore, contribute his share to the expense of his protection, and give his personal service when necessary.

SOUTH DAKOTA.

1. VI.

All men are born equally free and independent, and have certain inherent rights, among which are those of enjoying and defending life and liberty, of acquiring and protecting property and the pursuit of happiness. To secure these rights governments are instituted among men, deriving their just powers from the consent of the governed.

2. VI.

No person shall be deprived of life, liberty or property without due process of law.

7. VI.

In all criminal prosecutions the accused shall have the right to

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defend in person and by counsel; to demand the nature and cause of the accusation against him; to have a copy thereof; to meet the witnesses against him face to face; to have compulsory process served for obtaining witnesses in his behalf, and to a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

9. VI.

No person shall be compelled in any criminal case to give evidence against himself or be twice put in jeopardy for the same offense.

10. VI.

No person shall be held for a criminal offense unless on the presentment or indictment of the grand jury, or information of the public prosecutor, except in cases of impeachment, in cases cognizable by County Courts, by justices of the peace, and in cases arising in the army and navy, or in the militia when in actual service in time of war or public danger: Provided, That the grand jury may be modified or abolished by law.

11. VI.

The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated, and no warrant shall issue but upon probable cause, supported by affidavit, particularly describing the place to be searched and the person or thing to be seized.

13. VI.

Private property shall not be taken for public use, or damaged, without just compensation as determined by a jury, which shall be

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paid as soon as it can be ascertained and before possession is taken. No benefit which may accrue to the owner as a result of an improvement made by any private corporation shall be considered in fixing the compensation for property taken or damaged. The fee of land taken for railroad tracks or other highways shall remain in such owners, subject to the use for which it is taken.

14. VI.

No distinction shall ever be made by law between resident aliens and citizens in reference to the possession, enjoyment or descent of property.

16. VI.

The military shall be in strict subordination to the civil power. No soldier in time of peace shall be quartered in any house without consent of the owner, nor in time of war except in the manner prescribed by law.

TENNESSEE.

2. I.

That government being instituted of the common good, the doctrine for non-resistance against arbitrary power and oppression is absurd, slavish, and destructive of the good and happiness of mankind.

7. I.

That the people shall be secure in their persons, houses, papers and possessions from unreasonable searches and seizures; and that general warrants, whereby an officer may be commanded to search suspected places without evidence of the fact committed, or to seize any person or persons not named, whose offenses are not particularly described and supported by evidence, are

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dangerous to liberty, and ought not to be granted.

8. I.

That no man shall be taken or imprisoned, or disseized of his freehold, liberty or privileges, or outlawed, or exiled, or in any manner destroyed, or deprived of his life, liberty and property, but by the judgment of his peers or the law of the land.

9. I.

That in all criminal prosecutions, the accused hath the right to be heard by himself and his counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face; to have compulsory process for obtaining witnesses in his favor; and in prosecutions by indictment or presentment, a speedy public trial by an impartial jury of the county in which the crime shall have been committed, and shall not be compelled to give evidence against himself.

10. I.

That no person shall, for the same offense, be twice put in jeopardy of life or limb.

14. I.

That no person shall be put to answer any criminal charge but by presentment, indictment or impeachment.

18. I.

The Legislature shall pass no law authorizing imprisonment for debt in civil cases.

21. I.

That no man's particular services shall be demanded, or property taken or applied to public use, without the consent of his representatives, or without just compensation being made therefor.

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25. I.

That no citizen of this State, except such as are employed in the army of the United States, or militia in active service, shall be subjected to punishment under the martial or military law. That martial law, in the sense of the unrestricted power of military officers or others, to dispose of the persons, liberties or property of the citizen, is inconsistent with the principles of free government, and is not confided to any department of the government of this State.

26. I.

That the citizens of this State have a right to keep and to bear arms for their common defense. But the Legislature shall have power, by law, to regulate the wearing of arms, with a view to prevent crime.

27. I.

That no soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner prescribed by law.

33. I.

That slavery and involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, are forever prohibited in this State.

34. I.

The General Assembly shall make no law recognizing the right of property in man.

TEXAS.

9. I.

The people shall be secure in their persons, houses, papers and possessions from all unreasonable seizures or searches, and no warrant to search any place, or to seize any person or thing shall issue without describing

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them, as near as may be, nor without probable cause, supported by oath or affirmation.

10. I.

In all criminal prosecutions the accused shall have a speedy public trial by an impartial jury. He shall have the right to demand the nature and cause of the accusation against him, and to have a copy thereof. He shall not be compelled to give evidence against himself. He shall have the right of being heard by himself or counsel or both; shall be confronted with the witnesses against him, and shall have compulsory process for obtaining witnesses in his favor. And no person shall be held to answer for a criminal offense, unless on indictment of a grand jury, except in cases in which the punishment is by fine, or imprisonment otherwise than in the penitentiary, in cases of impeachment, and in cases arising in the army or navy, or in the militia, when in actual service, in time of war or public danger.

13. I.

Grand and petit jurors in the District Courts shall be composed of twelve men; but nine members of a grand jury shall be a quorum to transact business and present bills. In trials of civil cases, and in trials of criminal cases below the grade of felony, in the District Courts, nine members of the jury, concurring, may render a verdict, but when the verdict shall be rendered by less than the whole number, it shall be signed by every member of the jury concurring in it. When, pending the trial of any case, one or more jurors, not exceeding three, may die, or be disabled from sitting, the remainder of the jury shall have

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the power to render the verdict: Provided, That the Legislature may change or modify the rule authorizing less than the whole number of the jury to render a verdict.

14. I.

No person for the same offense, shall be twice put in jeopardy of life or liberty; nor shall a person be again put upon trial for the same offense after a verdict of not guilty in a court of competent jurisdiction.

18. I.

No person shall ever be imprisoned for debt.

23. I.

Every citizen shall have the right to keep and bear arms in the lawful defense of himself or the State; but the Legislature shall have power, by law, to regulate the wearing of arms, with a view to prevent crime.

25. I.

No soldier shall, in time of peace, be quartered in the house of any citizen without the consent of the owner, nor in time of war but in a manner prescribed by law.

29. I.

To guard against transgressions of the high powers herein delegated, we declare that everything in this "Bill of Rights" is excepted out of the general powers of government, and shall forever remain inviolate, and all laws contrary thereto, or to the following provisions, shall be void.

7. XII.

Nothing in this article shall be construed to divest or affect rights guaranteed by any existing grant or statute, of this State, or of the Republic of Texas.

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VERMONT.**I.**

That all men are born equally free and independent, and have certain natural, inherent and unalienable rights, amongst which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety. Therefore, no male person born in this country, or brought from over the sea, ought to be holden by law to serve any person as a servant, slave or apprentice after he arrived to the age of twenty-one years, nor female in like manner, after she arrives to the age of eighteen years, unless they are bound by their own consent, after they arrive to such age, or bound by law for the payment of debts, damages, fines, costs, or the like.

X.

That in all prosecutions for criminal offenses, a person hath a right to be heard by himself and his counsel; to demand the cause and nature of his accusation; to be confronted with the witnesses; to call for evidence in his favor, and a speedy public trial by an impartial jury of the county; without the unanimous consent of which jury, he cannot be found guilty; nor can he be compelled to give evidence against himself; nor can any person be justly deprived of his liberty, except by the laws of the land, or the judgment of his peers.

XI.

That the people have a right to hold themselves, their houses, papers and possessions free from search or seizure; and therefore warrants, without oath or affirmation first made, affording sufficient foundation for them,

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and whereby any officer or messenger may be commanded or required to search suspected places, or to seize any person or persons, his, her or their property, not particularly described, are contrary to that right, and ought not to be granted.

XVI.

That the people have a right to bear arms for the defense of themselves and the State; and as standing armies in time of peace are dangerous to liberty, they ought not to be kept up; and that the military should be kept under strict subordination to and governed by the civil power.

XXV.

As every freeman, to preserve his independence (if without a sufficient estate) ought to have some profession, calling, trade or farm, whereby he may honestly subsist, there can be no necessity for, nor use in, establishing offices of profit, the usual effects of which are dependence and servility, unbecoming freemen, in the possessors or expectants, and faction, contention and discord among the people. But if any man is called into public service to the prejudice of his private affairs, he has a right to a reasonable compensation; and whenever an office, through increase of fees or otherwise, become so profitable as to occasion many to apply for it, the profit ought to be lessened by the Legislature. And if any officer shall wittingly and willfully take greater fees than the law allows him, it shall ever after disqualify him from holding any office in this State, until he shall be restored by act of legislation.

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XXXIII.

The person of a debtor, where there is not strong presumption of fraud, shall not be continued in prison after delivering up and assigning over bona fide, all his estate, real and personal, in possession, reversion or remainder, for the use of his creditors, in such manner as shall be hereafter regulated by law. And all prisoners, unless in execution, or committed for capital offenses, when the proof is evident or presumption great, shall be bailable by sufficient sureties; nor shall excessive bail be exacted for bailable offenses.

XXXVIII.

The estates of such persons as may destroy their own lives, shall not, for that offense, be forfeited, but descend or ascend in the same manner as if such persons had died in a natural way. Nor shall any article which shall accidentally occasion the death of any person, be henceforth deemed a deodand, or in any wise forfeited on account of such misfortune.

VIRGINIA.**1 I.**

That all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any contract, deprive or divest their posterity—namely, the enjoyment of life and liberty, with the means of acquiring and possessing property and pursuing and obtaining happiness and safety.

10. I.

That in all capital or criminal prosecutions, a man hath a right to demand the cause and nature

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of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty; nor can he be compelled to give evidence against himself; that no man be deprived of his liberty except by the law of the land or the judgment of his peers.

12. I.

That general warrants, whereby an officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offense is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted.

19 I.

That neither slavery nor involuntary servitude, except as lawful imprisonment may constitute such, shall exist within this State.

WASHINGTON.**3. I.**

No person shall be deprived of life, liberty or property without due process of law.

7. I.

No person shall be disturbed in his private affairs, or his home invaded, without authority of law.

9. I.

No person shall be compelled, in any criminal case, to give evidence against himself or be twice put in jeopardy for the same offense.

17. I.

There shall be no imprisonment for debt, except in cases of absconding debtors.

Grand Jury—Bill of Rights.

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22. I.

In criminal prosecutions the accused shall have the right to appear and defend in person and by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to meet the witness against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the county in which the offense is alleged to have been committed, and the right to appeal in all cases; and in no instance shall any accused person before final judgment be compelled to advance money or fees to secure rights herein guaranteed.

24. I.

The right of the individual citizen to keep and bear arms in defense of himself or the State shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain or employ an armed body of men.

25. I.

Offenses heretofore required to be prosecuted by indictment may be prosecuted by information or by indictment, as shall be prescribed by law.

31. I.

No standing army shall be kept up by this State in time of peace, and no soldier shall, in time of peace, be quartered in any house without the consent of its owner, nor in time of war except in the manner prescribed by law.

13. XI.

Private property shall not be taken or sold for the payment

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of the corporate debt of any public or municipal corporation, except in the mode provided by law for the levy and collection of taxes.

WEST VIRGINIA.

1. III.

All men are by nature free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity, namely—the enjoyment of life and liberty, with the means of acquiring and possessing property, and of pursuing and obtaining happiness and safety.

10. III.

No person shall be deprived of life, liberty or property, without due process of law, and (the word and construed to mean or; see 27 W. Va., 275) the judgment of his peers.

12. III.

Standing armies in time of peace should be avoided as dangerous to liberty. The military shall be subordinate to the civil power; and no citizen, unless engaged in the military service of the State, shall be tried or punished by any military court for any offense that is cognizable by the civil courts of the State. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, except in the manner to be prescribed by law.

6. VI.

The right of the citizens to be secure in their houses, persons, papers and effects against unreasonable searches and seizures shall not be violated. No warrant shall issue except upon probable cause, supported by oath or affirmation, particularly describ-

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ing the place to be searched or the person or thing to be seized.

WISCONSIN.

1. I.

All men are born equally free and independent, and have certain inherent rights; among these are life, liberty and the pursuit of happiness. To secure these rights governments are instituted among men, deriving their just powers from the consent of the governed.

2. I.

There shall be neither slavery nor involuntary servitude in this State otherwise than for the punishment for crime, whereof the party shall have been duly convicted.

7. I.

In all criminal prosecutions the accused shall enjoy the right to be heard by himself and counsel; to demand the nature and cause of the accusation against him; to meet the witnesses face to face; to have compulsory process to compel the attendance of witnesses in his behalf; and in prosecutions by indictment or information, to a speedy public trial by an impartial jury of the county or district wherein the offense shall have been committed; which county or district shall have been previously ascertained by law.

8. I.

No person shall be held to answer for a criminal offense, unless on the presentment or indictment of a grand jury, except in cases of impeachment, or in cases cognizable by justices of the peace, or arising in the army or navy, or in the militia when in actual service in time of war or public danger; and no person for the same offense shall be put twice

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in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself. All persons shall before conviction be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion, the public safety may require.

8. I.

No person shall be held to answer for a criminal offense without due process of law, and no person, for the same offense, shall be put twice in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself. All persons shall before conviction be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended unless when in cases of rebellion or invasion the public safety may require it.

11. I.

The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures should not be violated, and no warrant should issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

15. I.

No distinction shall ever be made by law between resident aliens and citizens, in reference to the possession, enjoyment or descent of property.

Grand Jury—Bill of Rights.

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16. I.

No person shall be imprisoned for debt arising out of or founded on a contract, expressed or implied.

17. I.

The privilege of the debtor to enjoy the necessary comforts of life shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for the payment of any debt or liability hereafter contracted.

20. I.

The military shall be in strict subordination to the civil power.

WYOMING.

4. I.

The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated, and no warrant shall issue but upon probable cause, supported by affidavit particularly describing the place to be searched or the person or thing to be seized.

5. I.

No person shall be imprisoned for debt, except cases of fraud.

6. I.

No person shall be deprived of life, liberty or property without due process of law.

10. I.

In all criminal prosecutions, the accused shall have the right to defend in person and by counsel, to demand the nature and cause of the accusation, to have a copy thereof, to be confronted with the witnesses against him, to have compulsory process

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served for obtaining witnesses, and to a speedy trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

11. I.

No person shall be compelled to testify against himself in any criminal case, nor shall any person be twice put in jeopardy for the same offense. If the jury disagree, or if the judgment be arrested after a verdict, or if the judgment be reversed for error in law, the accused shall not be deemed to have been in jeopardy.

13. I.

Until otherwise provided by law, no person shall, for a felony, be proceeded against criminally, otherwise than by indictment, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger.

24. I.

The right of citizens to bear arms in defense of themselves and of the State shall not be denied.

25. I.

The military shall ever be in strict subordination to the civil powers. No soldier in time of peace shall be quartered in any house without the consent of the owner, nor in time of war, except in the manner prescribed by law.

29. I.

No distinction shall ever be made by law between resident aliens and citizens as to the possession, taxation, enjoyment and descent of property.

 Private Property—Private Roads.

PRIVATE PROPERTY — PRIVATE ROADS.

1 Sec. 7. When private property shall be taken for any
 2 public use, the compensation to be made therefor, when such
 3 compensation is not made by the State, shall be ascertained by
 4 a jury or by not less than three commissioners appointed by a
 5 court of record, as shall be prescribed by law. Private roads
 6 may be opened in the manner to be prescribed by law; but in
 7 every case the necessity of the road and the amount of all
 8 damage to be sustained by the opening thereof shall be first
 9 determined by a jury of freeholders, and such amount, together
 10 with the expenses of the proceeding, shall be paid by the per-
 11 son to be benefited. General laws may be passed permitting
 12 the owners or occupants of agricultural lands to construct and
 13 maintain for the drainage thereof, necessary drains, ditches and
 14 dykes upon the lands of others, under proper restrictions and
 15 with just compensation, but no special laws shall be enacted
 16 for such purposes.

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ALABAMA.**24. I.**

That the exercise of the right of eminent domain shall never be abridged or so construed as to prevent the General Assembly from taking the property and franchises of incorporated companies, and subjecting them to public use the same as individuals. But private property shall

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not be taken or applied for public use, unless just compensation be first made therefor; nor shall private property be taken for private use, or the use of corporations, other than municipal, without the consent of the owner: Provided, however, That the General Assembly may, by law, secure to persons or corporations the right of way over

Private Property—Private Roads.

Sec. Art.

the lands of other persons or corporations, and by general laws provide for and regulate the exercise by persons and corporations of the rights herein reserved, but just compensation shall in all cases be first made to the owner; and, provided, that the right of eminent domain shall not be so construed as to allow taxation or forced subscriptions for the benefit of railroads or any other kind of corporations, other than municipal, or for the benefit of any individual or association.

7. XIV.

Municipal and other corporations and individuals invested with the privilege of taking private property for public use, shall make just compensation for the property taken, injured or destroyed by the construction or enlargement of its works, highways or improvements, which compensation shall be paid before such taking, injury or destruction. The General Assembly is hereby prohibited from depriving any person of an appeal from any preliminary assessment of damages against any such corporations or individuals made by viewers or otherwise; and the amount of such damages in all cases of appeal shall, on the demand of either party, be determined by a jury, according to law.

ARKANSAS.

22. I.

The right of property is before and higher than any constitutional sanction; and private property shall not be taken, appropriated or damaged for public use, without just compensation therefor.

9. XII.

No property, nor right of way, shall be appropriated to the use

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15. I.

of any corporation until full compensation therefor shall be first made to the owner in money, or first secured to him by a deposit of money, which compensation, irrespective of any benefit from any improvement proposed by such corporation, shall be ascertained by a jury of twelve men, in a court of competent jurisdiction, as shall be prescribed by law.

9. XVII.

The exercise of the right of eminent domain shall never be abridged or so construed as to prevent the General Assembly from taking the property and franchises of incorporated companies and subjecting them to public use the same as the property of individuals.

CALIFORNIA.

13. I.

The property of no person shall be taken for public use without just compensation therefor.

14. I.

Private property shall not be taken or damaged for public use without just compensation having been first made to, or paid into court for, the owner, and no right of way shall be appropriated to the use of any corporation other than municipal until full compensation therefor be first made in money or ascertained and paid into court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived, as in other civil cases in a court of record, as shall be prescribed by law.

15. XI.

Private property shall not be taken or sold for the payment

Private Property—Private Roads.

Sec. Art.

of the corporate debt of any political or municipal corporation.

8. XII.

The exercise of the right of eminent domain shall never be so abridged or construed as to prevent the Legislature from taking the property and franchises of incorporated companies and subjecting them to public use, the same as the property of individuals; and the exercise of the police power of the State shall never be so abridged or construed as to permit corporations to conduct their business in such manner as to infringe the rights of individuals or the general well being of the State.

COLORADO.

14. II.

That private property shall not be taken for private use, unless by consent of the owner, except for private ways of necessity, and except for reservoirs, drains, flumes or ditches on or across the land of others, for agricultural, mining, milling, domestic or sanitary purposes.

15. II.

That private property shall not be taken or damaged for public or private use, without just compensation. Such compensation shall be ascertained by a board of commissioners, of not less than three freeholders, or by a jury, when required by the owner of the property, in such manner as may be prescribed by law, and until the same shall be paid to the owner, or into the court for the owner, the property shall not be needlessly disturbed or the proprietary rights of the owner therein divested; and whenever an attempt is made to take private property for a use

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alleged to be public, the question whether the contemplated use be really public, shall be a judicial question, and determined as such without regard to any legislative assertion that the use is public.

14. X.

Private property shall not be taken or sold for the payment of the corporate debt of municipal corporations.

8. XV.

The right of eminent domain shall never be abridged, nor so construed as to prevent the General Assembly from taking the property and franchises of incorporated companies and subjecting them to public use, the same as the property of individuals; and the police power of the State shall never be abridged, or so construed as to permit corporations to conduct their business in such manner as to infringe the equal rights of individuals, or the general well being of the State.

CONNECTICUT.

11. I.

The property of no person shall be taken for public use without just compensation therefor.

FLORIDA.

28. XVI.

The Legislature may provide for the drainage of the land of one person over or through that of another upon just compensation therefor to the owner of the land over which such drainage is had.

29. XVI.

No private property nor right of way shall be appropriated to the use of any corporation or individual until full compensation therefor shall be first made to the owner, or first secured to him by deposit of money; which

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compensation, irrespective of any benefit from any improvement proposed by such corporation or individual, shall be ascertained by a jury of twelve men in a court of competent jurisdiction, as shall be prescribed by law.

GEORGIA.

2. IV.

Par. II. The exercise of the right of eminent domain shall never be abridged, nor so construed as to prevent the General Assembly from taking the property and franchises of incorporated companies, and subjecting them to public use, the same as property of individuals; and the exercise of the police power of the State shall never be abridged, nor so construed as to permit corporations to conduct their business in such a manner as to infringe the equal rights of individuals or the general well being of the State.

IDAHO.

14. I.

The necessary use of lands for the construction of reservoirs or storage basins, for the purpose of irrigation, or for rights of way for the construction of canals, ditches, flumes, or pipes, to convey water to the place of use, for any useful, beneficial, or necessary purpose, or for drainage; or for the drainage of mines, or the working thereof, by means of roads, railroads, tramways, cuts, tunnels, shafts, hoisting works, dumps, or other necessary means to their complete development, or any other use necessary to the complete development of the material resources of the State, or the preservation of the health of its inhabitants, is hereby declared to be a public use, and subject to the regulation and control of the State.

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Private property may be taken for public use, but not until a just compensation, to be ascertained in a manner prescribed by law, shall be paid therefor.

11. VIII.

The right of eminent domain shall never be abridged, or so construed as to prevent the Legislature from taking the property and franchise of incorporated companies, and subjecting them to public use, the same as property of individuals; and the police powers of the State shall never be abridged or so construed as to permit corporations to conduct their business in such a manner as to infringe the equal rights of individuals, or the general well being of the State.

ILLINOIS.

13. II.

Private property shall not be taken or damaged for public use without just compensation. Such compensation, when not made by the State, shall be ascertained by a jury, as shall be prescribed by law. The fee of land taken for railroad tracks, without consent of the owners thereof, shall remain in such owners, subject to the use for which it is taken.

INDIANA.

21. I.

No man's particular services shall be demanded without just compensation. No man's property shall be taken by law without just compensation; nor, except in case of the State, without just compensation first assessed and tendered.

IOWA.

18. I.

Private property shall not be taken for public use without just compensation first being made,

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or secured to be made to the owner thereof, as soon as the damages shall be assessed by a jury, who shall not take into consideration any advantages that may result to said owner on account of the improvement for which it is taken.

KENTUCKY.

195.

The Commonwealth, in the exercise of the right of eminent domain, shall have and retain the same powers to take the property and franchises of incorporated companies for public use which it has and retains to take the property of individuals, and the exercise of the police powers of this Commonwealth shall never be abridged, nor so construed as to permit corporations to conduct their business in such manner as to infringe upon the equal rights of individuals.

211.

No railroad corporation organized under the laws of any other State, or of the United States, and doing business, or proposing to do business, in this State, shall be entitled to the benefit of the right of eminent domain or have power to acquire the right of way or real estate for depot or other uses, until it shall have become a body corporate pursuant to and in accordance with the laws of this Commonwealth.

242.

Municipal and other corporations and individuals invested with the privilege of taking private property for public use, shall make just compensation for property taken, injured or destroyed by them; which compensation shall be paid before such taking, or paid or secured.

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at the election of such corporation or individual, before such injury or destruction. The General Assembly shall not deprive any person of an appeal from any preliminary assessment of damages against any such corporation or individual made by commissioners or otherwise; and upon appeal from such preliminary assessment, the amount of such damages shall, in all cases, be determined by a jury, according to the course of common law.

LOUISIANA.

156.

Private property shall not be taken or damaged for public purposes without just and adequate compensation being first paid.

MAINE.

21.

Private property shall not be taken for public uses without just compensation; nor unless the public exigencies require it.

MICHIGAN.

9. XV.

The property of no person shall be taken by any corporation for public use, without compensation being first made or secured in such manner as may be prescribed by law.

15. XV.

Private property shall not be taken for public improvements in cities and villages without the consent of the owner, unless the compensation therefor shall first be determined by a jury of freeholders, and actually paid or secured in the manner prescribed by law.

2. XVIII.

When private property is taken for the use or benefit of the public, the necessity for using such property and the just com-

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pensation to be made therefor, except when to be made by the State, shall be ascertained by a jury of twelve freeholders, residing in the vicinity of such property, or by not less than three commissioners, appointed by a court of record, as shall be prescribed by law: Provided, The foregoing provisions shall in no case be construed to apply to the action of commissioners of highways in the official discharge of their duty as highway commissioners.

14. XVIII.

The property of no person shall be taken for public use without just compensation therefor. Private roads may be opened in the manner to be prescribed by law; but in every case the necessity of the road and the amount of all damages to be sustained by the opening thereof shall be first determined by a jury of freeholders; and such amount, together with the expenses of proceedings, shall be paid by the person or persons to be benefited.

MINNESOTA.

13. I.

Private property shall not be taken for public use without just compensation therefor, first paid or secured.

17. III. MISSISSIPPI.

Private property shall not be taken or damaged for public use except on due compensation being first made to the owner or owners thereof, in a manner to be prescribed by law; and whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be public shall be a judicial question, and as such determined

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without regard to legislative assertion that the use is public.

110. IV.

The Legislature may provide, by general law, for condemning rights of way for private roads, where necessary ingress and egress by the party applying, on due compensation being first made to the owner of the property; but such rights of way shall not be provided for incorporated cities and towns.

190. VII.

The exercise of the right of eminent domain shall never be abridged or so construed as to prevent the Legislature from taking the property and franchises of incorporated companies, and subjecting them to public use; and the exercise of the police powers of the State shall never be abridged, or so construed as to permit corporations to conduct their business in such manner as to infringe upon the rights of individuals, or the general well being of the State.

MISSOURI.

20. 2.

That no private property can be taken for private use, with or without compensation, unless by the consent of the owner, except for private ways of necessity, and except for drains and ditches across the lands of others for agricultural and sanitary purposes, in such manner as may be prescribed by law; and that whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and as such judicially determined, without regard to any legislative assertion that the use is public.

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21. 2.

That private property shall not be taken or damaged for public use without just compensation. Such compensation shall be ascertained by a jury or board of commissioners of not less than three freeholders, in such manner as may be prescribed by law; and until the same shall be paid to the owner, or into court for the owner, the property shall not be disturbed or the proprietary rights of the owner therein divested. The fee of land taken for railroad tracks without consent of the owner thereof shall remain in such owner, subject to the use for which it is taken.

13. X.

Private property shall not be taken or sold for the payment of the corporate debt of a municipal corporation.

4. XII.

The exercise of the power and right of eminent domain shall never be so construed or abridged as to prevent the taking by the General Assembly of the property and franchises of incorporated companies already organized, or that may be hereafter organized, and subjecting them to the public use, the same as that of individuals. The right of trial by jury shall be held inviolate in all trials of claims for compensation, when in the exercise of said right of eminent domain, any incorporated company shall be interested either for or against the exercise of said right.

10. XII.

The exercise of the right of eminent domain shall never be so abridged or construed as to prevent the Legislature from taking the property and franchises of incorporated companies

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and subjecting them to public use the same as the property of individuals.

MONTANA.

14. III.

Private property shall not be taken or damaged for public use without just compensation having been first made to, or paid into, the court for the owner.

15. III.

The use of all water now appropriated, or that may hereafter be appropriated for sale, rental, distribution or other beneficial use, and the right of way over the lands of others, for all ditches, drains, flumes, canals and aqueducts, necessarily used in connection therewith, as well as the sites for reservoirs necessary for collecting and storing the same, shall be held to be a public use. Private roads may be opened in the manner to be prescribed by law, but in every case the necessity of the road and the amount of all damage to be sustained by the opening thereof, shall be first determined by a jury, and such amount, together with the expenses of the proceedings, shall be paid by the person to be benefited.

8. XII.

Private property shall not be taken or sold for the corporate debts of public corporations, but the Legislative Assembly may provide by law for the funding thereof, and shall provide by law for the payment thereof, including all funded debts and obligations, by assessment and taxation of all private property not exempt from taxation within the limits of the territory over which such corporations respectively have authority.

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9. XV.

The right of eminent domain shall never be abridged, nor so construed as to prevent the Legislative Assembly from taking the property and franchises of incorporated companies, and subjecting them to public use the same as the property of individuals; and the police powers of the State shall never be abridged, or so construed, as to permit corporations to conduct their business in such manner as to infringe the equal rights of individuals, or the general well being of the State.

NEBRASKA.

21. I.

The property of no person shall be taken or damaged for public uses without just compensation therefor.

6. XII.

The exercise of the power and the right of eminent domain shall never be so construed or abridged as to prevent the taking by the Legislature of the property and franchises of incorporated companies already organized, or hereafter to be organized, and subjecting them as of individuals.

8. XII.

No railroad corporation, organized under the laws of any other State, or of the United States, and doing business in this State, shall be entitled to exercise the right of eminent domain, or have power to acquire the right of way, or real estate for depot or other uses, until it shall have become a body corporate, pursuant to and in accordance with the laws of this State.

NEVADA.

7. VIII.

No right of way shall be appro-

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riated to the use of any corporation until full compensation be first made or secured therefor.

NEW JERSEY.

16. I.

Private property shall not be taken for public use without just compensation; but land may be taken for public highways as heretofore, until the Legislature shall direct compensation to be made.

8. IV.

Individuals or private corporations shall not be authorized to take private property for public use, without just compensation first made to the owners.

NORTH DAKOTA.

14. I.

Private property shall not be taken or damaged for public use without just compensation having been first made to, or paid into court for the owner, and no right of way shall be appropriated to the use of any corporation, other than municipal, until full compensation therefor be first made in money or ascertained and paid into court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived.

134. VII.

The exercise of the right of eminent domain shall never be abridged, or so construed as to prevent the Legislative Assembly from taking the property and franchises of incorporated companies and subjecting them to public use, the same as the property of individuals; and the exercise of the police power of this State shall never be abridged, or so construed, as to permit corporations to conduct their

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business in such a manner as to infringe the equal rights of individuals or the general well being of the State.

OHIO.

19. I.

Private property shall ever be held inviolate, but subservient to the public welfare. When taken in time of war or other public exigency, imperatively requiring its immediate seizure, or for the purpose of making or repairing roads, which shall be open to the public, without charge, a compensation shall be made to the owner, in money, and in all other cases, where private property shall be taken for public use, a compensation therefor shall first be made in money, or first secured by a deposit of money, and such compensation shall be assessed by a jury, without deduction for benefits to any property of the owner.

5. XIII.

No right of way shall be appropriated to the use of any corporation until full compensation therefor be first made in money, or first secured by a deposit of money to the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury of twelve men, in a court of record, as shall be prescribed by law.

OREGON.

4. I.

No person's property shall be taken by any corporation, under authority of law, without compensation being first made or secured, in such manner as may be prescribed by law.

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18. I.

Private property shall not be taken for public use, nor the particular services of any man be demanded, without just compensation; nor, except in case of the State, without such compensation first assessed and tendered.

PENNSYLVANIA.

3. XVI.

(p. 91)
Also Art. I-510
The exercise of the right of eminent domain shall never be abridged or so construed as to prevent the General Assembly from taking the property and franchises of incorporated companies, and subjecting them to public use, the same as the property of individuals; and the exercise of the police power of the State shall never be abridged or so construed as to permit corporations to conduct their business in such manner as to infringe the equal rights of individuals or the general well being of the State.

RHODE ISLAND.

16. I.

Private property shall not be taken for public uses, without just compensation.

SOUTH CAROLINA.

3. XII.

No right of way shall be appropriated to the use of any corporation until full compensation therefor shall be first made or secured by a deposit of money, to the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury of twelve men, in a court of record, as shall be prescribed by law.

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SOUTH DAKOTA.**4 XVII.**

The exercise of the right of eminent domain shall never be abridged or so construed as to prevent the Legislature from taking the property and franchises of incorporated companies and subjecting them to public use, the same as the property of individuals, and the exercise of the police power of the State shall never be abridged or so construed as to permit corporations to conduct their business in such manner as to infringe the equal rights of individuals or the general well being of the State.

18. XVII.

Municipal and other corporations and individuals invested with the privilege of taking private property for public use shall make just compensation for property taken, injured or destroyed, by the construction or enlargement of their works, highways or improvements, which compensation shall be paid or secured before such taking, injury or destruction. The Legislature is hereby prohibited from depriving any person of an appeal from any preliminary assessment of damages against any such corporation or individuals made by viewers or otherwise, and the amount of such damages in all cases of appeal shall, on the demand of either party, be determined by a jury as in other civil cases.

TEXAS.**17. I.**

No person's property shall be taken, damaged or destroyed for or applied to public use without adequate compensation being made, unless by the consent of such person; and, when taken,

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except for the use of the State, such compensation shall be first made, or secured by a deposit of money; and no irrevocable or uncontrollable grant of special privileges or immunities shall be made; but all privileges and franchises granted by the Legislature, or created under its authority, shall be subject to the control thereof.

VERMONT.**1. II.**

That private property ought to be subservient to public uses when necessity requires it; nevertheless, whenever any person's property is taken for the use of the public, the owner ought to receive an equivalent in money.

WASHINGTON.**16. I.**

Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes or ditches on or across the lands of others for agricultural, domestic or sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation having been first made, or paid into court for the owner, and no right of way shall be appropriated to the use of any corporation other than municipal, until full compensation therefor be first made in money, or ascertained and paid into the court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the

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contemplated use be really public shall be a judicial question, and determined as such without regard to any legislative assertion that the use is public.

WEST VIRGINIA.

9. III.

Private property shall not be taken or damaged for public use, without just compensation; nor shall the same be taken by any company, incorporated for the purposes of internal improvement, until just compensation shall have been paid, or secured to be paid, to the owner; and when private property shall be taken, or damaged, for public use, or for the use of such corporations, the compensation to the owner shall be ascertained in such manner as may be prescribed by general law: Provided, That when required by either of the parties, such compensation shall be ascertained by an impartial jury of twelve freeholders.

12. XI.

The exercise of the power and the right of eminent domain shall never be so construed or abridged as to prevent the taking, by the Legislature, of the property and franchises of incorporated companies already organized, and subjecting them to the public use, the same as individuals.

WISCONSIN.

2. IV.

No municipal corporation shall take private property for public use against the consent of the owner, without the necessity thereof being first established by the verdict of a jury.

WYOMING.

32. I.

Private property shall not be taken for private use unless by consent of the owner, except for

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private ways of necessity, and for reservoirs, drains, flumes, or ditches on or across the lands of others for agricultural, mining, milling, domestic or sanitary purposes, nor in any case without due compensation.

33. I.

Private property shall not be taken or damaged for public or private use without just compensation.

4. X.

Exercise of the power and right of eminent domain shall never be so construed or abridged as to prevent the taking by the Legislature of property and franchises of incorporated companies and subjecting them to public use the same as property of individuals.

9. X.

The right of eminent domain shall never be so abridged or construed as to prevent the Legislature from taking property and franchises of incorporated companies and subjecting them to public use the same as the property of individuals.

5. XIII.

Municipal corporations shall have the same right as individuals to acquire rights by prior appropriation and otherwise to the use of water for domestic and municipal purposes, and the Legislature shall provide by law for the exercise upon the part of unincorporated cities, towns and villages of the right of eminent domain for the purpose of acquiring from prior appropriators upon the payment of just compensation, such water as may be necessary for the well being thereof and for domestic uses.

Freedom of Speech and of the Press.

FREEDOM OF SPEECH AND OF THE PRESS.

1 Sec. 8. Every citizen may freely speak, write and pub-
 2 lish his sentiments on all subjects, being responsible for the
 3 abuse of that right; and no law shall be passed to restrain or
 4 abridge the liberty of speech or of the press. In all criminal
 5 prosecutions or indictments for libels, the truth may be given
 6 in evidence to the jury; and if it shall appear to the jury that
 7 the matter charged as libelous is true, and was published with
 8 good motives and for justifiable ends, the party shall be
 9 acquitted; and the jury shall have the right to determine the
 10 law and the fact.

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ALABAMA.

5. I.

That any citizen may speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

13. I.

That in prosecutions for the publication of papers investigating the official conduct of officers or men in public capacity, or when the matter published is proper for public information, the truth thereof may be given in evidence; and that in all indictments for libel, the jury shall have the right to determine the law and the facts, under the direction of the court, as in other cases.

ARKANSAS.

6. II.

The liberty of the press shall forever remain inviolate. The free communication of thoughts and opinions is one of the invaluable

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rights of man; and all persons may freely write and publish their sentiments on all subjects, being responsible for the abuse of such right. In all criminal prosecutions for libel the truth may be given in evidence to the jury; and, if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party charged shall be acquitted.

CALIFORNIA.

9. I.

Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions for libels, the truth may be given in evidence to the jury; and if it shall

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appear to the jury that the matter charged as libelous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact. Indictments found, or information laid, for publications in newspapers, shall be tried in the county where such newspapers have their publication office, or in the county where the party alleged to be libeled resided at the time of the alleged publication, unless the place of trial shall be changed for good cause.

COLORADO.

10. I.

That no law shall be passed impairing the freedom of speech; that every person shall be free to speak, write or publish whatever he will on any subject, being responsible for all abuses of that liberty; and that all suits and prosecutions for libel, the truth thereof may be given in evidence, and the jury, under the direction of the court, shall determine the law.

CONNECTICUT.

5. I.

Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

6. I.

No law shall ever be passed to curtail or restrain the liberty of speech or of the press.

7. I.

In all prosecutions or indictments for libels the truth may be given in evidence, and the jury shall have the right to determine the law and the facts, under the direction of the court.

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DELAWARE.

5. I.

The press shall be free to every citizen, who undertakes to examine the official conduct of men acting in a public capacity; and any citizen may print on any subject, being responsible for the abuse of that liberty. In prosecutions for publications, investigating the proceedings of officers, or where the matter published is proper for public information, the truth thereof may be given in evidence; and in all indictments for libels, the jury may determine the facts and the law, as in other cases.

GEORGIA.

1. I.

Par. XV. No law shall ever be passed to curtail, or restrain, the liberty of speech, or of the press; any person may speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

IDAHO.

9. I.

Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that liberty.

ILLINOIS.

4. II.

Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that liberty; and in all trials for libel, both civil and criminal, the truth, when published with good motives, and for justifiable ends, shall be a sufficient defense.

KANSAS.

11.

The liberty of the press shall be inviolate; and all persons may freely speak, write or publish their sentiments on all subjects, being responsible for the abuse

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of such right; and in all civil or criminal actions for libel, the truth may be given in evidence to the jury, and if it shall appear that the alleged libelous matter was published for justifiable ends, the accused party shall be acquitted.

KENTUCKY.

8. I.

Printing presses shall be free to every person who undertakes to examine the proceedings of the General Assembly or any branch of government, and no law shall ever be made to restrain the right thereof. Every person may freely and fully speak, write and print on any subject, being responsible for the abuse of that liberty.

9. I.

In prosecutions for the publication of papers investigating the official conduct of officers or men in a public capacity, or where the matter published is proper for public information, the truth thereof may be given in evidence; and in all indictments for libel, the jury shall have the right to determine the law and the facts, under the direction of the court, as in other cases.

LOUISIANA.

168.

In all proceedings or indictments for libel, the truth thereof may be given in evidence. The jury in all criminal cases shall be judges of the law and of the facts on the question of guilt or innocence, having been charged as to the law applicable to the case by the presiding judge.

MAINE.

4. I.

Every citizen may freely speak, write and publish his sentiments

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on any subject, being responsible for the abuse of this liberty; no laws shall be passed regulating or restraining the freedom of the press; and in prosecutions for any publication respecting the official conduct of men in public capacity, or the qualifications of those who are candidates for the suffrages of the people, or where the matter published is proper for public information, the truth thereof may be given in evidence, and in all indictments for libel, the jury, after having received the direction of the court, shall have a right to determine, at their discretion, the law and the fact.

MARYLAND.

10.

That freedom of speech and debate, or proceedings in the Legislature, ought not to be impeached in any court of judicature.

40.

That the liberty of the press ought to be inviolably preserved; that every male citizen of the State ought to be allowed to speak, write and publish his sentiments on all subjects, being responsible for the abuse of that privilege.

MASSACHUSETTS.

16.

The liberty of the press is essential to the security of freedom in a State; it ought not, therefore, to be restrained in this Commonwealth.

MICHIGAN.

35. IV.

The Legislature shall not establish a State paper. Every newspaper in the State which shall publish all the general laws of any session, within forty days of their passage, shall be entitled

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to receive a sum not exceeding fifteen dollars therefor.

42. IV.

No law shall ever be passed to restrain or abridge the liberty of speech or of the press; but every person may freely speak, write and publish his sentiments on all subjects, being responsible of the abuse of such right.

25. VI.

In all prosecutions for libels, the truth may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party shall be acquitted. The jury shall have the right to determine the law and the fact.

MINNESOTA.

3. I.

The liberty of the press shall forever remain inviolate, and all persons may freely speak, write and publish their sentiments on all subjects, being responsible for the abuse of such right.

13. III. MISSISSIPPI.

The freedom of speech and of the press shall be held sacred, and in all prosecutions for libel the truth may be given in evidence, and the jury shall determine the law and the facts under the direction of the court; and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party shall be acquitted.

MISSOURI.

14. II.

That no law shall be passed impairing the freedom of speech; that every person shall be free to say, write or publish what-

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ever he will on any subject, being responsible for all abuse of that liberty; and that in all suits and prosecutions for libel the truth thereof may be given in evidence, and the jury, under the direction of the court, shall determine the law and the fact.

MONTANA.

10. III.

No law shall be passed impairing the freedom of speech; every person shall be free to speak, write or publish whatever he will on any subject, being responsible for all abuse of that liberty; and that in all suits and prosecutions for libel, the truth thereof may be given in evidence; and the jury, under the direction of the court, shall determine the law and the facts.

NEBRASKA.

5. I.

Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that liberty; and in all trials for libel, both civil and criminal, the truth, when published with good motives and for justifiable ends, shall be a sufficient defense.

NEW JERSEY.

5. I.

Every person may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right. No law shall be passed to restrain or abridge the liberty of speech or of the press. In all prosecutions or indictments for libel, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall

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have the right to determine the law and the fact.

NORTH CAROLINA.**20. I.**

The freedom of the press is one of the great bulwarks of liberty, and, therefore, ought never to be restrained; but every individual shall be held responsible for the abuse of the same.

OHIO.**11. I.**

Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions for libel, the truth may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted.

PENNSYLVANIA.**7. I.**

The printing press shall be free to every person who may undertake to examine the proceedings of the Legislature or any branch of government, and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of man, and every citizen may freely speak, write and print on any subject, being responsible for the abuse of that liberty. No conviction shall be had in any prosecution for the publication of papers relating to the official conduct of officers or men in public capacity, or to any other matter proper for public investigation or information, where the fact that such publication was

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not maliciously or negligently made shall be established to the satisfaction of the jury; and in all indictments for libels the jury shall have the right to determine the law and the facts, under the direction of the court, as in other cases.

RHODE ISLAND.**20. I.**

The liberty of the press being essential to the security of freedom in a State, any person may publish his sentiments on any subject, being responsible for the abuse of that liberty; and in trials for libel, both civil and criminal, the truth, unless published for malicious motives, shall be sufficient defense to the person charged.

SOUTH CAROLINA.**7. I.**

All persons may freely speak, write and publish their sentiments on any subject, being responsible for the abuse of that right; and no laws shall be enacted to restrain or abridge the liberty of speech or of the press.

8. I.

In prosecutions for the publication of papers investigating the official conduct of officers or men in public capacity, or when the matter published is proper for public information, the truth thereof may be given in evidence; and in all indictments for libel, the jury shall be the judges of the law and the facts.

SOUTH DAKOTA.**5. VI.**

Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right. In all trials for libel, both civil and criminal, the truth, when published with

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good motives and for justifiable ends, shall be a sufficient defense. The jury shall have the right to determine the fact and the law under the direction of the court.

TENNESSEE.

19. I.

That the printing presses shall be free to every person to examine the proceedings of the Legislature, or of any branch or officer of the government; and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of men, and every citizen may freely speak, write and print on any subject, being responsible for the abuse of that liberty. But in prosecutions for the publication of papers investigating the official conduct of officers or men in public capacity, the truth thereof may be given in evidence; and in all indictments for libel, the jury shall have a right to determine the law and the facts, under the direction of the court, as in other criminal cases.

TEXAS.

8. I.

Every person shall be at liberty to speak, write or publish his opinions on any subject, being responsible for the abuse of that privilege; and no law shall ever be passed curtailing the liberty of speech or of the press. In prosecutions for the publication of papers investigating the conduct of officers or men in public capacity, or when the matter published is proper for public information, the truth thereof may be given in evidence. And in all indictments for libels the jury shall have the right to determine the law and the facts,

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under the direction of the court, as in other cases.

VERMONT.

1. VIII.

That the people have a right to freedom of speech, and of writing and publishing their sentiments concerning the transactions of government, and therefore the freedom of the press ought not to be restrained.

VIRGINIA.

14. I.

That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments, and any citizen may speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

WASHINGTON.

5. I.

Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right.

WEST VIRGINIA.

7. III.

No law abridging the freedom of speech, or of the press, shall be passed; but the Legislature may by suitable penalties restrain the publication or sale of obscene books, papers or pictures, and provide for the punishment of libel and defamation of character, and for the recovery, in civil actions, by the aggrieved party, of suitable damages for such libel or defamation.

8. III.

In prosecutions and civil suits for libel, the truth may be given in evidence; and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the

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verdict shall be for the defendant.

WISCONSIN.

§. 1.

Every person may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right, and no laws shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions or indictments for libel, the truth may be given in evidence; and if it shall appear to the jury that the matter charged as libelous be true, and was published with good motives, and for justifiable ends,

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the party shall be acquitted; and the jury shall have the right to determine the law and the facts.

WYOMING.

20. 1.

Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right; and in all trials for libel, both civil and criminal, the truth, when published with good intent and for justifiable ends, shall be a sufficient defense, the jury having the right to determine the facts and the law, under direction of the court.

RIGHT OF PETITION — DIVORCES — LOTTERIES.

1 Sec. 9. No law shall be passed abridging the right of the
 2 people peaceably to assemble and to petition the government,
 3 or any department thereof; nor shall any divorce be granted
 4 otherwise than by due judicial proceedings; nor shall any
 5 lottery or the sale of lottery tickets, pool-selling, book-making,
 6 or any other kind of gambling hereafter be authorized or
 7 allowed within this State; and the Legislature shall pass
 8 appropriate laws to prevent offenses against any of the provi-
 9 sions of this section.

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ALABAMA.**26. I.**

That citizens have a right, in a peaceable manner, to assemble together for the common good, and to apply to those invested with the power of government for redress of grievances, or other purposes by petition, address or remonstrance.

26. IV.

The General Assembly shall have no power to authorize lotteries or gift enterprises for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets, or tickets in any scheme in the nature of a lottery, in this State; and all acts, or parts of acts, heretofore passed by the General Assembly of this State, authorizing a lottery or lotteries, and all acts amendatory thereof, or supplementary thereto, are hereby avoided.

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ARKANSAS.**4. II.**

The right of the people peaceably to assemble to consult for the common good, and to petition, by address or remonstrance, the government, or any department thereof, shall never be abridged.

14. XIX.

No lottery shall be authorized by this State, nor shall the sale of lottery tickets be allowed.

CALIFORNIA.**10. I.**

The people shall have the right to freely assemble together to consult for their common good, to instruct their representatives, and to petition the Legislature for redress of grievances.

26. IV.

The Legislature shall have no power to authorize lotteries or gift enterprises for any purpose, and shall pass laws to prohibit the sale in this State of lottery

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or gift enterprise tickets, or tickets in any scheme in the nature of a lottery. The Legislature shall pass laws to regulate and prohibit the buying and selling of the shares of the capital stock of corporations in any stock board, stock exchange, or stock market under the control of any association. All contracts for the sale of shares of the capital stock of any corporation or association, on margin, or to be delivered at a future day, shall be void, and any money paid on such contracts may be recovered by the party paying it by suit in any court of competent jurisdiction.

COLORADO.

2. I.

The General Assembly shall have no power to authorize lotteries or gift enterprises for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets in this State.

24. II.

That the people have the right peaceably to assemble for the common good, and to apply to those invested with the powers of government for redress of grievances, by petition or remonstrance.

CONNECTICUT.

16. I.

The citizens have a right, in a peaceable manner, to assemble for their common good, and to apply to those invested with the powers of government for redress of grievances, or other purposes, by petition, address or remonstrance.

DELAWARE.

16. I.

Although disobedience to laws by

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a part of the people upon suggestions of impolicy or injustice in them, tends by immediate effect and the influence of example, not only to endanger the public welfare and safety, but also in governments of a republican form, contravenes the social principles of such government founded upon common consent for common good; yet the citizens have a right in an orderly manner to meet together, and to apply to persons entrusted with the powers of government for redress of grievances or other proper purposes, by petition, remonstrance or address.

FLORIDA.

15.

The people shall have the right to assemble together to consult for the common good, to instruct their representatives, and to petition the Legislature for redress of grievances.

GEORGIA.

1. I.

Par. XXIV. The people have the right to assemble peaceably for their common good, and to apply to those vested with the powers of government for redress of grievances by petition or remonstrance.

2. I.

Par. IV. All lotteries, and the sale of lottery tickets, are hereby prohibited; and this prohibition shall be enforced by penal laws.

IDAHO.

10. I.

The people shall have the right to assemble in a peaceable manner to consult for their common good, to instruct their representatives and to petition the Legislature for redress of grievances.

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20. III.

The Legislature shall not authorize any lottery or gift enterprise under any pretense or for any purpose whatever.

ILLINOIS.**17. II.**

The people have the right to assemble in a peaceable manner to consult for the common good, to make known their opinions to their representatives, and to apply for redress of grievances.

27. V.

The General Assembly shall have no power to authorize lotteries or gift enterprises, for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets in this State.

INDIANA.**31. I.**

No law shall restrain any of the inhabitants of the State from assembling together, in a peaceable manner, to consult for their common good; nor from instructing their representatives; nor from applying to the General Assembly for redress of grievances.

8. XV.

No lottery shall be authorized, nor shall the sale of lottery tickets be allowed.

IOWA.**20. I.**

The people have the right freely to assemble together to counsel for the common good, to make known their opinions to their representatives, and to petition for a redress of grievances.

27. 3.

No divorce shall be granted by the General Assembly.

28. III.

No lottery shall be authorized by this State; nor shall the sale of lottery tickets be allowed.

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KANSAS.**18. II.**

All power to grant divorces is vested in the district courts, subject to regulation by law.

3. XV.

Lotteries and the sale of lottery tickets are forever forbidden.

3.

The people have the right to assemble in a peaceable manner, to consult for their common good, to instruct their representatives, and to petition the government, or any department thereof, for the redress of grievances.

KENTUCKY.**226.**

Lotteries and gift enterprises are forbidden, and no privileges shall be granted for such purposes, and none shall be exercised, and no schemes for similar purposes shall be allowed. The General Assembly shall enforce this section by proper penalties. All lottery privileges or charters heretofore granted are revoked.

LOUISIANA.**4.**

No law shall be passed respecting an establishment of religious or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and petition the government for a redress of grievances.

167.

The General Assembly shall have authority to grant lottery charters or privileges: Provided, Each charter or privilege shall pay not less than forty thousand dollars per annum in money into the treasury of the State; and provided further, that all charters shall cease and expire on the first of January, 1895, from which time all lotteries are prohibited in the State.

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The forty thousand dollars per annum now provided by law to be paid by the Louisiana State Lottery Company, according to the provisions of its charter, granted in the year 1868, shall belong to the Charity Hospital of New Orleans, and the charter of said company is recognized as a contract binding on the State for the period therein specified, except its monopoly clause, which is hereby abrogated, and all laws contrary to the provisions of this article are hereby declared null and void: Provided, Said company shall file a written renunciation of all its monopoly features in the office of the Secretary of State within sixty days after the ratification of this Constitution.

Of the additional sums raised by licenses on lotteries, the hospital at Shreveport shall receive ten thousand dollars annually, and the remaining sum shall be divided each year among the several parishes in the State for the benefit of their schools.

MAINE.

15. I.

The people have a right at all times in an orderly and peaceable manner to assemble to consult upon the common good, to give instructions to their representatives, and to request, of either department of the government by petition or remonstrance, redress of their wrongs and grievances.

MARYLAND.

36. III.

No lottery grant shall ever hereafter be authorized by the General Assembly.

That every man hath a right to petition the Legislature for the redress of grievances in a peaceable and orderly manner.

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MASSACHUSETTS.

19.

The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives, and to request of the Legislative body by the way of address, petitions or remonstrance, redress of the wrongs done them, and of the grievances they suffer.

MICHIGAN.

26. IV.

Divorces shall not be granted by the Legislature.

27. IV.

The Legislature shall not authorize any lottery, nor permit the sale of lottery tickets.

10. XVIII.

The people have the right peaceably to assemble together to consult for the common good, to instruct their representatives, and to petition the Legislature for redress of grievances.

MINNESOTA.

28. IV.

Divorces shall not be granted by the Legislature.

31. IV.

The Legislature shall never authorize any lottery, or the sale of lottery tickets.

MISSISSIPPI.

11. III.

The right of the people peaceably to assemble and petition the government on any subject shall never be impaired.

98. IV.

No lottery shall ever be allowed, or be advertised by newspapers, or otherwise, or its tickets be sold in this State; and the Legislature shall provide by law for the enforcement of this provision; nor shall any lottery here-

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tofore authorized be permitted to be drawn or its tickets sold.

MISSOURI.

29. II.

That the people have the right peaceably to assemble for their common good, and to apply to those invested with the powers of government for redress of grievances by petition or remonstrance.

10. X.

The General Assembly shall have no power to authorize lotteries or gift enterprises for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets, or tickets in any scheme in the nature of a lottery, in this State; and all acts or parts of acts heretofore passed by the Legislature of this State authorizing a lottery or lotteries, and all acts amendatory thereof or supplemental thereto are hereby avoided.

MONTANA.

26. III.

The people shall have the right peaceably to assemble for the common good, and to apply to those invested with the powers of government for redress of grievances by petition or remonstrance.

2. XIX.

The Legislative Assembly shall have no power to authorize lotteries, or gift enterprises, for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets in this State.

NEBRASKA.

19. I.

The right of the people peaceably to assemble and consult for the common good, and to petition the government, or any depart-

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ment thereof, shall never be abridged.

21. III.

The Legislature shall not authorize any games of chance, lottery or gift enterprise under any pretense or for any purpose whatever.

NEVADA.

10. I.

The people shall have the right freely to assemble together to consult for the common good, to instruct their representatives, and to petition the Legislature for redress of grievances.

24. IV.

No lottery shall be authorized by this State, nor shall the sale of lottery tickets be allowed.

NEW HAMPSHIRE.

32. I.

The people have a right, in an orderly and peaceable manner, to assemble and consult upon the common good, give instructions to their representatives, and to request of the Legislative body, by way of petition or remonstrance, redress of the wrongs done them, and of the grievances they suffer.

NEW JERSEY.

18. I.

The people have the right freely to assemble together to consult for the common good, to make known their opinions to their representatives, and to petition for redress of grievances.

7. IV.

1. No divorce shall be granted by the Legislature.

2. No lottery shall be authorized by this State, and no ticket in any lottery not authorized by a law of this State shall be bought or sold within the State.

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NORTH CAROLINA.

25. I.

The people have a right to assemble together to consult for their common good, to instruct their representatives, and to apply to the Legislature for redress of grievances. But secret political societies are dangerous to the liberties of a free people, and should not be tolerated.

10. II.

The General Assembly shall have power to pass general laws regulating divorce and alimony, but shall not have power to grant a divorce or secure alimony in any individual case.

NORTH DAKOTA.

10. I.

The citizens have a right in a peaceable manner to assemble together for the common good, and to apply to those invested with the powers of government for the redress of grievances, or for other proper purposes, by petition, address or remonstrance.

3. I.

The people have the right to assemble together, in a peaceable manner, to consult for their common good, to instruct their representatives, and to petition the General Assembly for the redress of grievances.

32. II.

The General Assembly shall grant no divorce, nor exercise any judicial power not herein expressly conferred

6. XV.

Lotteries and the sale of lottery tickets, for any purpose whatever, shall forever be prohibited in this State.

OREGON.

4. XV.

Lotteries, and the sale of lottery

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tickets, for any purpose whatever, are prohibited, and the legislative assembly shall prevent the same by penal law.

26. XV.

No law shall be passed restraining any of the inhabitants of the State from assembling together in a peaceable manner to consult for their common good; nor from instructing their representatives; nor from applying to the Legislature for redress of grievances.

PENNSYLVANIA.

20. I.

The citizens have a right in a peaceable manner to assemble together for their common good and to apply to those invested with the powers of government for redress of grievances or other proper purposes by petition, address or remonstrance.

RHODE ISLAND.

21. I.

The citizens have a right in a peaceable manner to assemble for their common good, and to apply to those invested with the powers of government, for redress of grievances, or for other purposes, by petition, address or remonstrance.

12. IV.

All lotteries shall hereafter be prohibited in this State, except those already authorized by the General Assembly.

SOUTH CAROLINA.

6. I.

The right of the people peaceably to assemble to consult for the common good, and to petition the government, or any department thereof, shall never be abridged.

2. XIV.

Lotteries, and the sale of lottery tickets for any purpose what-

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ever, are prohibited, and the General Assembly shall prevent the same by penal laws.

5. XIV.

Divorces from the bands of matrimony shall not be allowed but by the judgment of a court, as shall be prescribed by law.

SOUTH DAKOTA.

25. III.

The Legislature shall not authorize any game of chance, lottery or gift enterprise, under any pretense or for any purpose whatever.

4. VI.

The right of petition and of the people peaceably to assemble to consult for the common good and make known their opinions shall never be abridged.

TENNESSEE.

23. I.

That the citizens have a right, in a peaceable manner, to assemble together for their common good, to instruct their representatives, and to apply to those invested with the powers of government for redress of grievances, or other proper purposes, by address or remonstrance.

4. X.

The Legislature shall have no power to grant divorces, but may authorize the courts of justice to grant them for such causes as may be specified by law; but such laws shall be general and uniform in their operation throughout the State.

5. X.

The Legislature shall have no power to authorize lotteries for any purpose, and shall pass laws to prohibit the sale of lottery tickets in this State.

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TEXAS.

47. III.

The citizens shall have the right, in a peaceable manner, to assemble together for their common good, and apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address or remonstrance.

47. III.

The Legislature shall pass laws prohibiting the establishment of lotteries and gift enterprises in this State, as well as the sale of tickets in lotteries, gift enterprises or other evasions involving the lottery principle, established or existing in other States.

VERMONT.

1. I.

That the people have a right to assemble together to consult for their common good, to instruct their representatives, and to apply to the Legislature for redress of grievances by address, petition or remonstrance.

VIRGINIA.

18. V.

No lottery shall hereafter be authorized by law; and the buying, selling or transferring of tickets or chances in any lottery shall be prohibited.

WASHINGTON.

4. I.

The right of petition and of the people peaceably to assemble for the common good shall never be abridged.

24. II.

The Legislature shall never authorize any lottery or grant any divorce.

WEST VIRGINIA.

16. III.

The right of the people to assemble in a peaceable manner to

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consult for the common good, to instruct their representatives, or to apply for redress of grievances shall be held inviolate.

38. VI.

The Legislature shall have no power to authorize lotteries or gift enterprises for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets in this State.

WISCONSIN.

4. I.

The right of the people peaceably to assemble to consult for the

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common good and to petition the government, or any department thereof, shall never be abridged.

24. IV.

The Legislature shall never authorize any lottery or grant any divorce.

WYOMING.

21. I.

The right of petition, and of the people peaceably to assemble to consult for the common good, and to make known their opinions, shall never be denied or abridged.

Right of Property in Lands—Escheats.

RIGHT OF PROPERTY IN LANDS — ESCHEATS.

1 Sec. 10. The people of this State, in their right of sov-
2 ereignty are deemed to possess the original and ultimate prop-
3 erty in and to all lands within the jurisdiction of the State;
4 and all lands the title to which shall fail, from a defect of heirs,
5 shall revert, or escheat to the people.

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SOUTH CAROLINA.**3. VI.**

The people of the State are declared to possess the ultimate property in and to all lands within the jurisdiction of the State, and all lands the title to which shall fail from defect of heirs shall revert or escheat to the people.

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WISCONSIN.**3. IX.**

The people of the State, in their right of sovereignty, are declared to possess the ultimate property in and to all lands within the jurisdiction of the State; and all lands the title to which shall fail from a defect of heirs shall revert or escheat to the people.

Feudal Tenures Abolished.

FEUDAL TENURES ABOLISHED.

- 1 Sec. II. All feudal tenures of every description, with all
2 their incidents, are declared to be abolished, saving, however,
3 all rents and services certain which at any time heretofore have
4 been lawfully created or reserved.

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ARKANSAS.**28. II.**

All lands in this State are declared to be allodial; and feudal tenures of every description, with all their incidents, are prohibited.

MINNESOTA.**15. I.**

All lands within the State are declared to be allodial, and feudal tenures of every description, with all their incidents, are prohibited. Leases and grants of agricultural lands for a longer period than twenty-one years,

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hereafter made, in which shall be reserved any rent or service of any kind, shall be void.

WISCONSIN.**14. I.**

All lands within the State are declared to be allodial, and feudal tenures are prohibited. Leases and grants of agricultural land, for a longer period than fifteen years, in which rent or service of any kind shall be reserved, and all fines and like restraints upon alienation, reserved in any grant of land hereafter made, are declared to be void.

Allodial Tenure.

ALLODIAL TENURE.

1 Sec. 12. All lands within this State are declared to be
2 allodial, so that, subject only to the liability to escheat, the
3 entire and absolute property is vested in the owners, according
4 to the nature of their respective estates.

Certain Leases Invalid.

CERTAIN LEASES INVALID.

1 Sec. 13. No lease or grant of agricultural land, for a longer
2 period than twelve years, hereafter made, in which shall be
3 reserved any rent or service of any kind, shall be valid.

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IOWA.**24. I.**

No lease or grant of agricultural
lands, reserving any rent or ser-
vice of any kind, shall be valid
for a longer period than twenty
years.

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MICHIGAN.**2. XVIII.**

No lease or grant hereafter of
agricultural land for a longer
period than twelve years, reserv-
ing any rent or service of any
kind, shall be valid.

Fines and Quarter Sales **Abolished.**

FINES AND QUARTER SALES ABOLISHED.

- 1 Sec. 14. All fines, quarter-sales, or other like restraints upon
2 alienation, reserved in any grant of land hereafter to be made,
3 shall be void.

Sale of Lands.

SALE OF LANDS.

1 Sec. 15. No purchase or contract for the sale of lands in
2 this State, made since the fourteenth day of October, one
3 thousand seven hundred and seventy-five; or which may here-
4 after be made, of, or with the Indians, shall be valid, unless
5 made under the authority, and with the consent of the
6 Legislature.

**OLD COLONY LAWS AND ACTS OF THE LEGISLATURE — COMMON
LAW COMMISSIONERS TO BE APPOINTED — THEIR DUTIES.**

1 Sec. 16. Such parts of the common law, and of the acts
2 of the Legislature of the Colony of New York, as together did
3 form the law of the said colony, on the nineteenth day of
4 April, one thousand seven hundred and seventy-five, and the
5 resolutions of the Congress of the said colony, and of the con-
6 vention of the State of New York, in force on the twentieth
7 day of April, one thousand seven hundred and seventy-seven,
8 which have not since expired, or been repealed or altered;
9 and such acts of the Legislature of this State as are now in
10 force, shall be and continue the law of this State, subject to
11 such alterations as the Legislature shall make concerning the
12 same. But all such parts of the common law, and such of the
13 said acts, or parts thereof, as are repugnant to this Constitution,
14 are hereby abrogated.

Grants of Land Since 1775—Prior Grants.

GRANTS OF LAND SINCE 1775 — PRIOR GRANTS.

1 Sec. 17. All grants of land within this State, made by
 2 the king of Great Britain, or persons acting under his
 3 authority, after the fourteenth day of October, one thousand
 4 seven hundred and seventy-five, shall be null and void; but
 5 nothing contained in this Constitution shall affect any grants
 6 of land within this State, made by the authority of the said
 7 king or his predecessors, or shall annul any charters to bodies
 8 politic or corporate, by him or them made, before that day;
 9 or shall affect any such grants or charters since made by this
 10 State, or by persons acting under its authority; or shall impair
 11 the obligation of any debts contracted by the State, or indi-
 12 viduals, or bodies corporate, or any other rights of property,
 13 or any suits, actions, rights of action, or other proceedings in
 14 courts of justice.

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TEXAS.2. **XIII.**

Any claim of title or right to land in Texas, issued prior to the 13th day of November, 1835, not duly recorded in the county where the land was situated at the time of such record; or not duly archived in the general land office; or not in the actual possession of the grantee thereof, or some person claiming under him, prior to the accruing of junior title thereto from the sovereignty of the soil, under circumstances reasonably calculated

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to give notice to said junior grantee, has never had, and shall not have standing or effect against such junior title, or color of title, acquired without such or actual notice of such prior claim of title or right; and no condition annexed to such grants, not archived, or recorded, or occupied as aforesaid, has been, or ever shall be released or waived, but actual performance of all such conditions shall be proved by the person or persons claiming under such title or claim of right in order to main-

Grants of Land Since 1775—Prior Grants.

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tain action thereon, and the holder of such junior title, or color of title, shall have all the rights of the government which have heretofore existed, or now exist, arising from the non-performance of all such conditions.

4. XIII.

No claim of title or right to land, which issued prior to the 13th day of November, 1835, which has not been duly recorded in the county where the land was situated at the time of such record, or which has not been duly archived in the general land office, shall ever hereafter be deposited in the general land office, or recorded in this State, or delineated on the maps, or used as evidence in any of the courts of this State, and the same are stale claims; but this shall not affect such rights or presumptions as arise from actual possession. By the words "duly recorded," as used in sections 2 and 4 of this article, it is meant that such claim of title or right to land shall have been recorded in the proper office, and that mere errors in the certificate of registration, or informality, not affecting the fairness and good faith of the holder thereof, with which the record was made, shall not be held to vitiate such record.

5. XIII.

All claims, locations, surveys, grants and titles of any kind,

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which are declared null and void by the Constitution of the Republic or State of Texas, are, and the same shall remain forever null and void.

2.

All unsatisfied genuine land certificates barred by section 4, article 10, of the Constitution of 1869, by reason of the holders or owners thereof failing to have them surveyed and returned to the land office by the first day of January, 1875 are hereby revived. All unsatisfied genuine land certificates now in existence shall be surveyed and returned to the general land office within five years after the adoption of this Constitution, or be forever barred; and all genuine land certificates hereafter issued by the State shall be surveyed and returned to the general land office within five years after issuance, or be forever barred: Provided, That all genuine land certificates heretofore or hereafter issued shall be located, surveyed or patented only upon vacant and unappropriated public domain, and not upon any land titled or equitably owned under color of title from the sovereignty of the State, evidence of the appropriation of which is on the county records or in the general land office; or when the appropriation is evidenced by the occupation of the owner, or of some person holding for him.

Damages for Injuries resulting in Death.

DAMAGES FOR INJURIES RESULTING IN DEATH.

1 Sec. 18. The right of action now existing to recover
2 damages for injuries resulting in death, shall never be abro-
3 gated; and the amount recoverable shall not be subject to any
4 statutory limitation.

MISCELLANEOUS.

Sec. Art.

ALABAMA.**23. I.**

That no ex post facto law, or any law impairing the obligation of contracts, or making any irrevocable grants of special privileges or immunities, shall be passed by the General Assembly.

25. I.

That all navigable waters shall remain forever public highways, free to citizens of the State, and of the United States, without tax, impost or toll; and that no tax, toll, impost or wharfage, shall be demanded or received from the owner of any merchandise or commodity, for the use of the shores, or any wharf erected in the shores, or in or over the waters of any navigable stream, unless the same be expressly authorized by law.

35. I.

The people of this State accept as final the established fact that from the Federal Union there can be no secession of any State.

56. IV.

There can be no law of this State impairing the obligation of contracts by destroying or impairing the remedy for their enforcement; and the General Assembly shall have no power to revive any right or remedy which may have become barred by lapse of time or by any statute of this State.

ARKANSAS.**17. II.**

No bill of attainder, ex post facto law or law impairing the obligation of contracts shall ever be passed; and no conviction shall

Sec. Art.

work corruption of blood or forfeiture of estate.

7. IX.

The real and personal property of any femme covert in this State acquired either before or after marriage, whether by gift, grant, inheritance, devise or otherwise, shall, so long as she may choose, be and remain her separate estate and property, and may be devised, bequeathed or conveyed by her the same as if she were a femme sole, and the same shall not be subject to the debts of her husband.

8. IX.

The General Assembly shall provide for the time and mode of scheduling the separate personal property of married women.

2. XIX.

No person who may hereafter fight a duel, assist in the same as second, or send, accept or knowingly carry a challenge therefor, shall hold any office in the State for a period of ten years, and may be otherwise punished as the law may prescribe.

CALIFORNIA.**2. I.**

Any citizen of this State who shall, after the adoption of this Constitution, fight a duel with deadly weapons, or send or accept a challenge to fight a duel with deadly weapons, either within this State or out of it, or who shall act as second, or knowingly aid or assist in any manner those thus offending, shall not be allowed to hold any office of profit, or to enjoy the right of suffrage under this Constitution.

Miscellaneous.

Sec. Art.

3. I.

The State of California is an inseparable part of the American Union, and the Constitution of the United States is the supreme law of the land.

16. I.

No bill of attainder, ex post facto law, or law impairing the obligations of contracts, shall ever be passed.

8. XX.

All property, real and personal, owned by either husband or wife, before marriage, and that acquired by either of them afterwards by gift, devise, or descent, shall be their separate property.

9. XX.

No perpetuities shall be allowed except for eleemosynary purposes.

CONNECTICUT.

4. IX.

Treason against the State shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court. No conviction of treason or attainder shall work corruption of blood or forfeiture.

COLORADO.

11. VII.

That no ex post facto law, nor law impairing the obligations of contracts, or retrospective in its operation, or making any irrevocable grant of special privileges, franchises or immunities, shall be passed by the General Assembly.

12. VII.

No person who shall hereafter fight a duel, or assist in the same

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as a second, or send, accept or knowingly carry a challenge therefor, or agree to go out of the State to fight a duel, shall hold any office in the State.

FLORIDA.

11. I.

All property, real and personal, of a wife owned by her before marriage, or lawfully acquired afterwards by gift, devise, bequest, descent or purchase, shall be her separate property, and shall not be liable for the debts of her husband without her consent, given by some instrument in writing, executed according to the law respecting conveyances by married women.

2. XI.

A married woman's separate real or personal property may be charged in equity and sold, or the uses, rents and profits thereof sequestrated for the purchase-money thereof; or for money or things due upon any agreement made by her in writing for the benefit of her separate property; or for the price of any property purchased by her, or for labor and material used with her knowledge or assent in the construction of buildings, or repairs, or improvements upon her property, or for agricultural or other labor bestowed thereon, with her knowledge and consent.

3. XI.

The Legislature shall enact such laws as shall be necessary to carry into effect this article.

17.

No bill of attainder, ex post facto law, nor any law impairing the obligation of contracts, shall ever be passed.

GEORGIA.

8. I.

No bill of attainder, ex post facto law, retroactive law, or law im-

Miscellaneous.

Sec. Art.

pairing the obligation of contracts, or making irrevocable grants of special privileges or immunities, shall be passed.

4. II.

No person who, after the adoption of this Constitution, being a resident of this State, shall have been convicted of fighting a duel in this State, or convicted of sending or accepting a challenge, or convicted of aiding or abetting such duel, shall hold office in this State, unless he shall have been pardoned; and every such person shall also be subject to such punishment as may be prescribed by law.

11. III.

All property of the wife at the time of her marriage, and all property given to, inherited or acquired by her, shall remain her separate property, and not be liable for the debts of her husband.

IDAHO.

3. I.

The State of Idaho is an inseparable part of the American Union, and the Constitution of the United States is the supreme law of the land.

16. I.

No bill of attainder, ex post facto law, or law impairing the obligation of contracts, shall ever be passed.

ILLINOIS.

14. II.

No ex post facto law, or law impairing the obligation of contracts, or making any irrevocable grant of special privileges or immunities, shall be passed.

INDIANA.

24. I.

No ex post facto law, or law impairing the obligation of contract, shall ever be passed.

Sec. Art.

IOWA.

5. I.

Any citizen of this State who may hereafter be engaged, either directly or indirectly, in a duel, either as principal or accessory before the fact, shall forever be disqualified from holding any office under the Constitution and laws of this State.

21. I.

No bill of attainder, ex post facto law, or law impairing the obligation of contracts, shall ever be passed.

KANSAS.

5. V.

Every person who shall give or accept a challenge to fight a duel, or who shall knowingly carry to another person such challenge, or shall go out of the State to fight a duel, shall be ineligible to any office of trust or profit.

6. XV.

The Legislature shall provide for the protection of the rights of women, in acquiring and possessing property, real, personal and mixed, separate and apart from the husband; and shall also provide for their equal rights in the possession of their children.

KENTUCKY.

19.

No ex post facto law, nor any law impairing the obligation of contracts, shall be enacted.

26.

To guard against transgression of the high powers which we have delegated, we declare that everything in this bill of rights is excepted out of the general powers of government, and shall forever remain inviolate; and all laws contrary thereto, contrary to this Constitution shall be void.

Miscellaneous.

Sec. Art.

239.

Any person who shall, after the adoption of this Constitution, either directly or indirectly give, accept or knowingly carry a challenge to any person or persons to fight in single combat with a citizen of this State, with a deadly weapon, either in or out of the State, shall be deprived of the right to hold any office of honor or profit in this Commonwealth; and if said acts, or any of them, be committed within this State, the person or persons so committing them shall be further punished in such manner as the General Assembly may prescribe by law.

LOUISIANA.

49.

No law shall be passed fixing the price of manual labor.

155.

No ex post facto law, nor any law impairing the obligations of contracts, shall be passed, nor vested rights be divested, unless for purposes of public utility and for adequate compensation previously made.

232.

Women over twenty-one years of age shall be eligible to any office of control or management under the school laws of this State.

MAINE.

2. II.

Electors shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest on the days of election, during their attendance at, going to, and returning therefrom.

11. II.

The Legislature shall pass no bill of attainder, ex post facto law, nor law impairing the obligation of contracts, and no attain-

Sec. Art.

der shall work corruption of blood nor forfeiture of estate.

MARYLAND.

2.

The Constitution of the United States, and the laws made, or which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, are, and shall be the supreme law of the State; and the judges of this State, and all the people of this State, are, and shall be, bound thereby; anything in the Constitution or law of this State to the contrary notwithstanding.

6.

That all persons invested with the legislative or executive powers of government are the trustees of the public, and, as such, accountable for their conduct: Wherefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and of right ought, to reform the old, or establish a new government; the doctrine of non-resistance against arbitrary power and oppression is absurd, slavish and destructive of the good and happiness of mankind.

15.

That the levying of taxes by the poll is grievous and oppressive, and ought to be prohibited; that paupers ought not to be assessed for the support of the government; but every person in the State, or person holding property therein, ought to contribute his proportion of public taxes for the support of the government, according to his actual worth in real or personal property; yet, fines, duties or taxes may prop-

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Sec. Art.

erly and justly be imposed or laid, with a political view for the good government and benefit of the community.

17.

That retrospective laws, punishing acts committed before the existence of such laws, and by them only declared criminal, are oppressive, unjust and incompatible with liberty; wherefore, no ex post facto law ought to be made; nor any retrospective oath or restriction be imposed or required.

38.

That every gift, sale or devise of land to any minister, public teacher or preacher of the gospel, as such, or to any religious sect, order or denomination, or to or for the support, use or benefit of, or in trust for, any minister, public teacher or preacher of the gospel, as such, or any religious sect, order or denomination; and every gift or sale of goods, or chattels, to go in succession, or to take place after the death of the seller or donor, to or for such support, use or benefit; and also every devise of goods or chattels to or for the support, use or benefit of any minister, public teacher or preacher of the gospel, as such, or any religious sect, order or denomination, without the prior or subsequent sanction of the Legislature, shall be void; except always, any sale, gift, lease or devise of any quantity of land, not exceeding five acres, for a church, meeting house, or other house of worship, or parsonage, or for a burying ground, which shall be improved, enjoyed or used only for such purpose; or such sale, gift, lease or devise shall be void.

Sec. Art

41. III.

Any citizen of this State who shall, after the adoption of this Constitution, either in or out of this State, fight a duel with deadly weapons, or send a challenge so to do, or who shall act as a second or knowingly aid or assist in any manner those offending, shall ever thereafter be incapable of holding any office of profit or trust under this State, unless relieved from the disability by an act of the Legislature.

53. III.

No person shall be incompetent, as a witness, on account of race or color, unless hereafter so declared by act of the General Assembly.

MASSACHUSETTS.

24.

Laws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.

MICHIGAN.

43. III.

The Legislature shall pass no bill of attainder, ex post facto law, or law impairing the obligation of contracts.

8. VII.

Any inhabitant who may hereafter be engaged in a duel, either as principal or accessory before the fact, shall be disqualified from holding any office under the Constitution and laws of this State, and shall not be permitted to vote at any election.

5. XVI.

The real and personal estate of every female, acquired before marriage, and all property to which she may afterwards be-

Miscellaneous.

Sec. Art.

come entitled by gift, grant, inheritance or devise, shall be and remain the estate and property of such female, and shall not be liable for the debts, obligations or engagements of her husband; and may be devised or bequeathed by her as if she were unmarried.

MINNESOTA.

11. I.

No bill of attainder, ex post facto law, nor any law impairing the obligation of contracts, shall ever be passed, and no conviction shall work corruption of blood or forfeiture of estate.

2. XV.

Persons residing on Indian lands within the State shall enjoy all the rights and privileges of citizens, as though they lived in any other portion of the State, and shall be subject to taxation.

MISSISSIPPI.

7. III.

The right to withdraw from the Federal Union on account of any real or supposed grievance, shall never be assumed by this State, nor shall any law be passed in derogation of the paramount allegiance of the citizens of this State to the government of the United States.

16. III.

Ex post facto laws, or laws impairing the obligation of contracts, shall not be passed.

43. III.

The property of the wife shall be protected from the debts of the husband.

84. IV.

The Legislature shall never create by law any distinction between the rights of men and women to acquire, own, enjoy and dispose of property of all kinds, or their

Sec. Art.

power to contract in reference thereto. Married women are hereby fully emancipated from all disability on account of coverture. But this shall not prevent the Legislature from regulating contracts between husband and wife; nor shall the Legislature be prevented from regulating the sale of homesteads.

269. XIV.

Every devise or bequest of lands, tenements or hereditaments, or any interest therein, of freehold, or less than freehold, either present or future, vested or contingent, or of any money directed to be raised by the sale thereof, contained in any last will and testament, or codicil, or other testamentary writing, in favor of any religious or ecclesiastical corporation, sole or aggregate, or any religious or ecclesiastical society, or to any religious denomination, or association of persons, or to any person or body politic, in trust, either expressed or implied, secret or resulting, either for the use and benefit of such religious corporation, society, denomination or association, or for the purpose of being given or appropriated to charitable uses or purposes, shall be null and void, and the heirs-at-law shall take the same property so devised or bequeathed, as though no testamentary disposition had been made.

270. XIV.

Every legacy, gift or bequest of money or personal property, or of any interest, benefit or use therein, either direct, implied or otherwise, contained in any last will and testament, or codicil, in favor of any religious or ecclesiastical corporation, sole or aggregate, or any religious or

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Sec. Art.

ecclesiastical society, or to any religious denomination or association, either for its own use or benefit, or for the purpose of being given or appropriated to charitable uses, shall be null and void, and the distributees shall take the same as though no such testamentary disposition had been made.

MISSOURI.

3. II.

That Missouri is a free and independent State, subject only to the Constitution of the United States; and as the preservation of the States and the maintenance of their governments are necessary to an indestructible Union, and were intended to co-exist with it, the Legislature is not authorized to adopt, nor will the people of this State ever assent to, any amendment or change of the Constitution of the United States which may in anywise impair the right of local self-government belonging to the people of this State.

15. II.

That no ex post facto law, nor law impairing the obligation of contracts, or retrospective in its operation, or making any irrevocable grant of special privileges or immunities, can be passed by the General Assembly.

3. XIV.

No person who shall hereafter fight a duel, or assist in the same as a second, or send, accept or knowingly carry a challenge therefor, or agree to go out of the State to fight a duel, shall hold any office in this State.

MONTANA.

11.

No ex post facto law, nor law impairing the obligations of con-

Sec. Art.

tracts, or making any irrevocable grant of special privileges, franchises or immunities shall be passed by the Legislative Assembly.

NEBRASKA.

15. I.

All penalties shall be proportioned to the nature of the offense, and no conviction shall work corruption of blood or forfeiture of estate; nor shall any person be transported out of the State for any offense committed within the State.

16. I.

No bill of attainder, ex post facto law, or law impairing the obligation of contracts, or making any irrevocable grant of special privileges or immunities, shall be passed.

NEVADA.

15. I.

No bill of attainder, ex post facto law, or law impairing the obligation of contracts, shall ever be passed.

31. I.

All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired afterward by gift, devise or descent, shall be her separate property; and laws shall be passed more clearly defining the rights of the wife in relation, as well to her separate property, as to that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property.

4. XV.

No perpetuities shall be allowed, except for eleemosynary purposes.

NEW HAMPSHIRE.

23. I.

Retrospective laws are highly injurious, oppressive, and unjust. No such laws, therefore, should

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Sec. Art.

be made, either for the decision of civil causes or the punishment of offenses.

34. I.

No person can, in any case, be subjected to law martial or to any pains or penalties by virtue of that law, except those employed in the army or navy, and except the militia in active service, but by authority of the Legislature.

NEW JERSEY.

7. IV.

The Legislature shall not pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or depriving a party of any remedy for enforcing a contract which existed when the contract was made.

NORTH CAROLINA.

4. I.

That this State shall ever remain a member of the American Union; that the people thereof are a part of the American Nation; that there is no right on the part of the State to secede, and that all attempts, from whatever source or upon whatever pretext, to dissolve said Union, or to sever said Nation, ought to be resisted with the whole power of the State.

5. I.

That every citizen of this State owes paramount allegiance to the Constitution and government of the United States, and that no law or ordinance of the State in contravention or subversion thereof can have any binding force.

32. I.

Retrospective laws, punishing acts committed before the existence of such laws, and by them only declared criminal, are oppres-

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sive, unjust and incompatible with liberty; wherefore no ex post facto law ought to be made. No law taxing retrospective sales, purchases, or other acts previously done, ought to be passed.

5. VI.

The following classes of persons shall be disqualified for office: First, all persons who shall deny the being of Almighty God. Second, all persons who shall have been convicted of treason, perjury or of any other infamous crime, since becoming citizens of the United States, or of corruption, or malpractice in office, unless such person shall have been legally restored to the rights of citizenship.

6. X.

The real and personal property of any female in this State, acquired before marriage, and all property, real and personal, to which she may, after marriage, become in any manner, entitled, shall be and remain the sole and separate estate and property of such female, and shall not be liable for any debts, obligations or engagements of her husband, and may be devised and bequeathed, and with the written assent of her husband, conveyed by her as if she were unmarried.

NORTH DAKOTA.

3. I.

The State of North Dakota is an inseparable part of the American Union, and the Constitution of the United States is the supreme law of the land.

18. I.

No bill of attainder, ex post facto law, or law impairing the obligations of contracts, shall ever be passed.

Miscellaneous.

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213. XVII.

The real and personal property of any woman in this State, acquired before marriage, and all property to which she may after marriage become in any manner rightfully entitled, shall be her separate property, and shall not be liable for the debts of her husband.

OHIO.

28. II.

The General Assembly shall have no power to pass retroactive laws, or laws impairing the obligation of contracts; but may, by general laws, authorize courts to carry into effect, upon such terms as shall be just and equitable, the manifest intention of parties and officers, by securing omissions, defects and errors in instruments and proceedings arising out of the want of conformity with the laws of this State.

5. XV.

No person shall hereafter fight a duel, assist in the same as second, or send, accept or knowingly carry, a challenge therefor, shall hold any office in this State.

OREGON.

21. I.

No ex post facto law, or law impairing the obligations of contracts, shall ever be passed, nor shall any law be passed, the taking effect of which shall be made to depend upon any authority, except as provided in this Constitution; provided that the laws locating the capital of the State, locating county seats, and submitting town and corporate acts, and other local and special laws, may take effect or not, upon a vote of the electors interested.

9. II.

Every person who shall give or accept a challenge to fight a duel,

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or shall knowingly carry to another person such challenge, or who shall agree to go out of the State to fight a duel, shall be ineligible to any office of profit or trust.

5. XV.

The property and pecuniary rights of every married woman, at the time of marriage, or afterward acquired by gift, devise or inheritance, shall not be subject to the debts or contracts of the husband; and laws shall be passed providing for the registration of the wife's separate property.

PENNSYLVANIA.

17. I.

No ex post facto law, nor any law impairing the obligation of contracts, or making irrevocable any grant of special privileges or immunities, shall be passed.

26. I.

To guard against transgressions of the high powers which we have delegated, we declare that every thing in this article is excepted out of the general powers of government and shall forever remain inviolate.

3. XII.

Any person who shall fight a duel or send a challenge for that purpose, or be aider or abettor in fighting a duel, shall be deprived of the right of holding any office of honor or profit in this State, and may be otherwise punished as shall be prescribed by law.

RHODE ISLAND.

12. I.

No ex post facto law, or law impairing the obligation of contracts, shall be passed.

14. I.

Every man being presumed innocent until he is pronounced guilty

Miscellaneous.

Sec. Art.

by the law, no act of severity which is not necessary to secure an accused person shall be permitted.

SOUTH CAROLINA.

5. I.

This State shall ever remain a member of the American Union, and all attempts, from whatsoever source, or upon whatever pretext, to dissolve the said Union, shall be resisted with the whole power of the State.

21. I.

No bill of attainder, ex post facto law, nor any law impairing the obligation of contracts, shall ever be enacted; and no conviction shall work corruption of blood or forfeiture of estate.

32. I.

No property qualifications shall be necessary for an election to or the holding of any office, and no office shall be created, the appointment to which shall be for a longer time than good behavior. After the adoption of this Constitution any person who shall fight a duel or send or accept a challenge for that purpose, or be an alder or abettor in fighting a duel, shall be deprived of holding any office of honor or trust in this State, and shall be otherwise punished as the law shall prescribe.

40. I.

All navigable waters shall remain forever public highways, free to citizens of the State and the United States, without tax, impost or toll imposed; and no tax, toll, impost or wharfage shall be imposed, demanded or received from the owner of any merchandise or commodity, for the use of the shores, or any wharf erected on the shores, or in or over the waters of any

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navigable stream, unless the same be authorized by the General Assembly.

4. IV.

Every citizen of this State owes paramount allegiance to the Constitution and government of the United States, and no law or ordinance of this State in contravention or subversion thereof can have any binding force.

8. XIV.

The real and personal property of a woman held at the time of her marriage, or that which she may thereafter acquire, either by gift, grant, inheritance, devise or otherwise, shall not be subject to levy and sale for her husband's debts, but shall be held as her separate property, and may be bequeathed, devised or alienated by her the same as if she were unmarried: Provided, That no gift or grant from the husband to the wife shall be detrimental to the just claims of his creditors.

SOUTH DAKOTA.

12. VI.

No ex post facto law, or law impairing the obligation of contracts or making any irrevocable grant of privilege, franchise or immunity, shall be passed.

5. XXI.

Rights of Married Women.—The real and personal property of any woman in this State acquired before marriage, and all property to which she may after marriage become in any manner rightfully entitled, shall be her separate property, and shall not be liable for the debts of her husband.

TENNESSEE.

11. I.

That laws made for the punishment of acts committed previous

Miscellaneous.

Sec. Art.

to the existence of such laws, and by them only declared criminal, are contrary to the principles of a free government; wherefore no ex post facto law shall be made.

20. I.

That no retrospective law, or law impairing the obligation of contracts, shall be made.

3. IX.

Any person who shall, after the adoption of this Constitution, fight a duel or knowingly be the bearer of a challenge to fight a duel, or send or accept a challenge for that purpose, or be an aider or abettor in fighting a duel, shall be deprived of the right to hold any office of honor or profit in this State, and shall be punished otherwise, in such manner as the Legislature may prescribe.

16. X.

The declaration of rights, hereto prefixed, is declared to be a part of the Constitution of this State, and shall never be violated on any pretense whatever. And to guard against transgression of the high powers we have delegated, we declare that everything in this bill of rights contained is excepted out of the general powers of the government, and shall forever remain inviolate.

TEXAS.

1. I.

Texas is a free and independent State, subject only to the Constitution of the United States; and the maintenance of our free institutions and the perpetuity of the Union depend upon the preservation of the right of local self-government unimpaired to all the States.

Sec. Art.

16. I.

No bill of attainder, ex post facto law, retroactive law, or any law impairing the obligation of contracts, shall be made

15. XVI.

All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired afterward by gift, devise or descent, shall be her separate property; and laws shall be passed more clearly defining the rights of the wife in relation as well to her separate property as that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property.

VERMONT.

17.

That no person in this State can, in any case, be subjected to law martial, or to any penalties or pains by virtue of that law, except those employed in the army, and the militia in actual service.

39.

Every person of good character who comes to settle in this State, having first taken an oath or affirmation of allegiance to the same, may purchase, or by other means acquire, hold or transfer land, or other real estate; and after one year's residence shall be deemed a free denizen thereof, and entitled to all rights of a natural born subject of this State, except that he shall not be capable of being elected Governor, Lieutenant-Governor, Treasurer, Councilor or Representative in Assembly, until after two years' residence.

VIRGINIA.

2. I.

That this State shall ever remain a member of the United States

Miscellaneous.

Sec. Art.

of America, and that the people thereof are a part of the American nation, and that all attempts, from whatever source or upon whatever pretext, to dissolve said union or to sever said nation are unauthorized, and ought to be resisted with the whole power of the State.

3. I.

That the Constitution of the United States and the laws of Congress passed in pursuance thereof constitute the supreme law of the land, to which paramount allegiance and obedience are due from every citizen, anything in the Constitution, ordinances or laws of any State to the contrary notwithstanding.

WASHINGTON.

1. I.

The use of the waters of this State for irrigation, mining and manufacturing purposes shall be deemed a public use.

2. I.

The Constitution of the United States is the supreme law of the land.

23. I.

No bill of attainder, ex post facto law or law impairing the obligations of contracts shall ever be passed.

WEST VIRGINIA.

1. I.

The State of West Virginia is, and shall remain, one of the United States of America. The Constitution of the United States of America, and the laws and treaties made in pursuance thereof, shall be the supreme law of the land.

2. I.

The government of the United States is a government of enumerated powers, and all powers

Sec. Art.

not delegated to it, nor inhibited to the States, are reserved to the States or to the people thereof. Among the powers so reserved to the States is the exclusive regulation of their own internal government and police; and it is the high and solemn duty of the several departments of government, created by this Constitution, to guard and protect the people of this State from all encroachments upon the rights so reserved.

2. II.

The powers of government reside in all the citizens of the State, and can be rightfully exercised only in accordance with their will and appointment.

10. IV.

Any citizen of this State who shall, after the adoption of this Constitution, either in or out of the State, fight a duel with deadly weapons, or send or accept a challenge so to do, or who shall act as second or knowingly aid or assist in such duel, shall ever thereafter be incapable of holding any office of honor, trust or profit in this State.

49. VI.

The Legislature shall pass such laws as may be necessary to protect the property of married women from the debts, liabilities and control of their husbands.

WISCONSIN.

12. I.

No bill of attainder, ex post facto law, nor any law impairing the obligation of contracts, shall ever be passed; and no conviction shall work corruption of blood or forfeiture of estate.

WYOMING.

22. I.

The rights of labor shall have just protection through laws calcu-

Miscellaneous.

Sec. Art.

lated to secure to the laborer proper rewards for his services and to promote the industrial welfare of the State.

35. I.

No ex post facto law, nor any law impairing the obligation of contracts, or making irrevocable any grant of special privileges or immunities, shall be passed.

37. I.

The State of Wyoming is an inseparable part of the Federal Union, and the Constitution of the United States is the supreme law of the land.

19. I.

The following article shall be irrevocable without the consent of the United States and the people of this State:

The State of Wyoming is an inseparable part of the Federal Union and the Constitution of the United States is the supreme law of the land.

It shall be unlawful for any person, company or corporation to require from its servants or employees, as a condition of their employment or otherwise, any contract or agreement, whereby such person, company or corpor-

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ation shall be released or discharged from liability or responsibility on account of personal injuries received by such servants or employees while in the service of such person, company or corporation by reason of the negligence of such person, company or corporation, or the agents or employees thereof, and such contracts shall be absolutely null and void.

No person not a citizen of the United States or who has not declared his intention to become such shall be employed upon or in connection with any State, county or municipal works or employment.

Eight (8) hours' actual work shall constitute a lawful day's work in all mines, and on all State and municipal works.

2. XIX.

The Legislature shall, by appropriate legislation, see that the provisions of the foregoing section are enforced.

4. XXI.

All fines, penalties, forfeitures and escheats accruing to the Territory of Wyoming shall accrue to the use of the State.

Qualification of Voters.

QUALIFICATION OF VOTERS.**ARTICLE II.**

1 Section 1. Every male citizen of the age of twenty-one
2 years, who shall have been a citizen for ninety days, and an
3 inhabitant of this State one year next preceding an election,
4 and for the last four months a resident of the county, and for
5 the last thirty days a resident of the election district in which
6 he may offer his vote, shall be entitled to vote at such election
7 in the election district of which he shall at the time be a resi-
8 dent, and not elsewhere, for all officers that now are or here-
9 after may be elective by the people, and upon all questions
10 which may be submitted to the vote of the people; provided
11 that in time of war no elector in the actual military service of
12 the State, or of the United States, in the army or navy thereof,
13 shall be deprived of his vote by reason of his absence from
14 such election district; and the Legislature shall have power to
15 provide the manner in which and the time and place at which
16 such absent electors may vote, and for the return and canvass
17 of their votes in the election districts in which they respectively
18 reside.

Qualification of Voters.

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ALABAMA.**38. I.**

No educational or property qualification for suffrage or office, nor any restraint upon the same on account of race, color or previous condition of servitude, shall be made by law.

1. VIII.

Every male citizen of the United States, and every male person of foreign birth who may have legally declared his intention to become a citizen of the United States before he offers to vote, who is twenty-one years old, or upwards, possessing the following qualifications, shall be an elector and shall be entitled to vote at any election by the people, except as hereinafter provided: First—He shall have resided in this State at least one year immediately preceding the election at which he offers to vote. Second—He shall have resided in the county for three months, and in the precinct or ward for thirty days immediately preceding the election at which he offers to vote: Provided, That the General Assembly may prescribe a longer or shorter residence in any precinct in any county, or in any ward in any incorporated city or town having a population of more than five thousand inhabitants, but in no case to exceed three months; and provided, that no soldier, sailor or marine, in the military or naval service of the United States, shall acquire a residence by being stationed in this State.

ARKANSAS.**1. VIII.**

Every male citizen of the United States, or male person who has declared his intention of becoming

Sec. Art.

ing a citizen of the same, of the age of twenty-one years, who has resided in the State twelve months, and in the county six months, and in the voting precinct or ward one month next preceding any election, where he may propose to vote, shall be entitled to vote at all elections by the people.

CALIFORNIA.**24 I.**

No property qualification shall ever be required for any person to vote or hold office.

1. II.

Every native male citizen of the United States, every male person who shall have acquired the rights of citizenship under or by virtue of the treaty of Quere-taro, and every male naturalized citizen thereof, who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been a resident of the State one year next preceding the election, and of the county in which he claims his vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law: Provided, No native of China, no idiot, insane person, or person convicted of any infamous crime, and no person hereafter convicted of the embezzlement or misappropriation of public money, shall ever exercise the privileges of an elector in this State.

COLORADO.**1. VII.**

Every male person over the age of twenty-one years, possessing the following qualifications, shall be entitled to vote at all elections:

Qualification of Voters.

Sec. Art.

First—He shall be a citizen of the United States, or not being a citizen of the United States, he shall have declared his intention, according to law, to become such citizen, not less than four months before he offers to vote.

Second—He shall have resided in the State six months immediately preceding the election at which he offers to vote, and in the county, city, town, ward or precinct, such time as may be prescribed by law: Provided, That no person shall be denied the right to vote at any school district election, nor to hold any school district office, on account of sex.

2. VII.

The General Assembly shall, at the first session thereof, and may at subsequent sessions, enact laws to extend the right of suffrage to women of rightful age, and otherwise qualified according to the provisions of this article. No such enactment shall be of effect until submitted to the vote of the qualified electors at a general election, nor unless the same be approved by a majority of those voting thereon.

3. VII.

The General Assembly may prescribe, by law, an educational qualification for electors, but no such law shall take effect prior to the year of our Lord one thousand eight hundred and ninety, and no qualified elector shall be thereby disqualified.

CONNECTICUT.

1. VI.

All persons who have been, or shall hereafter, previous to the ratification of this Constitution, be admitted freemen, according

Sec. Art.

to the existing laws of this State, shall be electors.

2. VI.

Every white (altered by amendments) male citizen of the United States, who shall have gained a settlement in this State, attained the age of twenty-one years, and resided in the town in which he may offer himself to be admitted to the privilege of an elector, at least six months preceding; and have a freehold estate of the yearly value of seven dollars in this State; or, having been enrolled in the militia, shall have performed military duty therein for the term of one year next preceding the time he shall offer himself for admission (altered by amendments), or being liable thereto, shall have been, by authority of law, excused therefrom; or shall have paid a State tax within the year next preceding the time he shall present himself for such admission; and shall sustain a good moral character, shall, on his taking such oath as may be prescribed by law, be an elector.

Every person shall be able to read any article of the Constitution, or any section of the statutes of this State, before being admitted an elector.

FLORIDA.

1. VI.

Every male person of the age of twenty-one years and upwards, that shall, at the time of registration, be a citizen of the United States, or that shall have declared his intention to become such in conformity to the laws of the United States, and that shall have resided and had his habitation, domicile, home and place of permanent abode in Florida for one year, and in the county for six

Qualification of Voters.

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months, shall in such county be deemed a qualified elector at all elections under this Constitution.

2. VI.

Every elector shall, at the time of his registration, take and subscribe to the following oath: "I do solemnly swear or affirm that I will protect and defend the Constitution of the United States and of the State of Florida; that I am twenty-one years of age, and have been a resident of the State of Florida for twelve months and of this county for six months, and I am qualified to vote under the Constitution and laws of the State of Florida."

GEORGIA.

2. II.

Every male citizen of the United States (except as hereinafter provided), twenty-one years of age, who shall have resided in this State one year next preceding the election, and shall have resided six months in the county in which he offers to vote, and shall have paid all taxes which may hereafter be required of him, and which he may have had an opportunity of paying, agreeable to law, except for the year of the election, shall be deemed an elector: Provided, That no soldier, sailor or marine in the military or naval service of the United States shall acquire the rights of an elector by reason of being stationed on duty in this State; and no person shall vote who, if challenged, shall refuse to take the following oath, or affirmation: "I do swear (or affirm) that I am twenty-one years of age, have resided in this State one year and in this county six months, next preceding this election. I have paid all taxes which, since the adoption

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of the present Constitution of this State, have been required of me previous to this year, and which I have had an opportunity to pay, and I have not voted at this election."

IDAHO.

20. I.

No property qualification shall ever be required for any person to vote or hold office except in school elections or elections creating indebtedness.

2. VI.

Except as in this article otherwise provided, every male citizen of the United States, twenty-one years old, who has actually resided in this State or Territory for six months, and in the county where he offers to vote thirty days next preceding the day of election, if registered as provided by law, is a qualified elector; and until otherwise provided by the Legislature, women who have the qualifications prescribed in this article may continue to hold such school offices and vote at such school elections as provided by the laws of Idaho Territory.

4. VI.

The Legislature may prescribe qualifications, limitations and conditions for the right of suffrage additional to those prescribed in this article, but shall never annul any of the provisions in this article contained.

ILLINOIS.

1. VII.

Every person residing in this State one year, in the county ninety days, and in the election district thirty days next preceding any election therein, who was an elector in this State on the first day of April, in the year of our Lord one thousand eight hundred and forty-eight, or obtained a certificate of naturalization,

Qualification of Voters.

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before any Court of Record in this State, prior to the first day of January, in the year of our Lord one thousand eight hundred and seventy, or who shall be a male citizen of the United States, above the age of twenty-one years, shall be entitled to vote at such election.

6. VII.

No person shall be elected or appointed to any office in this State, civil or military, who is not a citizen of the United States, and who shall not have resided in this State one year next preceding the election or appointment.

INDIANA.

2.

In all elections not otherwise provided for by this Constitution; every white male citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the State during the six months immediately preceding such election; and every white male of foreign birth, of the age of twenty-one years and upward, who shall have resided in this State during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote in the township or precinct where he may reside.

2. II.

In all elections not otherwise provided for by this Constitution, every male citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the State during the six months, and in the township sixty days, and in the ward or precinct

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thirty days immediately preceding such election; and every male of foreign birth, of the age of twenty-one years and upwards, who shall have resided in the United States one year, and shall have resided in this State during the six months, and in the township sixty days, and in the ward or precinct thirty days immediately preceding such election, and shall have declared his intention to become a citizen of the United States, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote in the township or precinct where he may reside, if he shall have been duly registered according to law.

IOWA.

1. II.

Every (white) male citizen of the United States, of the age of twenty-one years, who shall have been a resident of this State six months next preceding the election, and of the county in which he claims his vote sixty days, shall be entitled to vote at all elections which are now or hereafter may be authorized by law.

(Amended by striking out the word "white" at the general election in 1868.)

KANSAS.

1. V.

Every white male person of twenty-one years and upwards belonging to either of the following classes—who shall have resided in Kansas six months next preceding any election, and in the township or ward in which he offers to vote at least thirty days next preceding such election—shall be deemed a qualified elector:

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First—Citizens of the United States.

Second—Persons of foreign birth who shall have declared their intention to become citizens conformably to the laws of the United States on the subject of naturalization.

KENTUCKY.

145.

Every male citizen of the United States of the age of twenty-one years, who has resided in the State one year, and in the county six months, and in the precinct in which he offers to vote sixty days, next preceding the election, shall be a voter in said precinct, and not otherwise; but the following persons are excepted and shall not have the right to vote:

First—Persons convicted in any court of competent jurisdiction of treason, or felony, or bribery in an election, or of such high misdemeanor as the General Assembly may declare shall operate as an exclusion from the right of suffrage; but persons hereby excluded may be restored to their civil rights by executive pardon.

Second—Persons who, at the time of the election, are in confinement under the judgment of a court for some penal offense.

Third—Idiots and insane persons.

LOUISIANA.

185.

Every male citizen of the United States, and every male person of foreign birth who has been naturalized, or who may have legally declared his intention to become a citizen of the United States before he offers to vote, who is twenty-one years old or upwards, possessing the following qualifications, shall be an

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elector, and shall be entitled to vote at any election by the people, except as hereinbefore provided:

1. He shall be an actual resident of the State at least one year next preceding the election at which he offers to vote.
2. He shall be an actual resident of the parish in which he offers to vote at least six months next preceding the election.
3. He shall be an actual resident of the ward or precinct in which he offers to vote at least thirty days next preceding the election.

MAINE.

1. II.

Every male citizen of the United States of the age of twenty-one years and upwards, excepting paupers, persons under guardianship, and Indians not taxed, having his residence established in this State for the term of three months next preceding any election, shall be an elector for Governor, Senators and Representatives, in the town or plantation where his residence is so established; and the elections shall be by written ballot. But persons in the military, naval or marine service of the United States, or this State, shall not be considered as having obtained such established residence by being stationed in any garrison, barrack or military place, in any town or plantation; nor shall the residence of a student at any seminary of learning entitle him to the right of suffrage in the town or plantation where such seminary is established. No person, however, shall be deemed to have lost his residence by reason of his absence from the State in the military service of the United States, or of this State.

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4. II.

The election of Governor, Senators and Representatives shall be on the second Monday in September annually forever. But citizens of the State absent therefrom in the military service of the United States or of this State, and not in the regular army of the United States, being otherwise qualified electors, shall be allowed to vote on Tuesday next after the first Monday in November, in the year of our Lord one thousand eight hundred and sixty-four, for Governor and Senators, and their votes shall be counted and allowed in the same manner, and with the same effect, as if given on the second Monday of September in that year. And they shall be allowed to vote for Governor, Senators and Representatives on the second Monday of September annually thereafter forever, in the manner herein provided. On the day of election a poll shall be opened at every place without this State where a regiment, battalion, battery, company or detachment of no less than twenty soldiers from the State of Maine may be found or stationed, and every citizen of said State of the age of twenty-one years, in such military service, shall be entitled to vote as aforesaid; and he shall be considered as voting in the city, town, plantation and county in this State where he resided when he entered the service. The vote shall be taken by regiments when it can conveniently be done; when not so convenient, any detachment or part of a regiment not less than twenty in number, and any battery or part thereof numbering twenty or more, shall be entitled to vote

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wherever they may be. The three ranking officers of such regiment, battalion, battery, company, or part of either, as the case may be, acting as such on the day of election, shall be supervisors of election. If no officers, then three non-commissioned officers, according to their seniority, shall be such supervisors. If any officer or non-commissioned officer shall neglect or refuse to act, the next in rank shall take his place. In case there are no officers or non-commissioned officers present, or if they or either of them refuse to act, the electors present, not less than twenty, may choose, by written ballot, enough of their own number, not exceeding three, to fill the vacancies, and the persons so chosen shall be supervisors of election. All supervisors shall be first sworn to support the Constitution of the United States and of this State, and faithfully and impartially to perform the duties of supervisors of elections. Each is authorized to administer the necessary oath to the others; and certificates thereof shall be annexed to the lists of voters by them to be made and returned into the office of the Secretary of State of this State, as hereinafter provided. The polls shall be opened and closed at such hours as the supervisors, or a majority of them, shall direct; provided, however, that due notice and sufficient time shall be given for all voters in the regiment, battalion, battery, detachment, company, or part of either, as the case may be, to vote. Regimental and field officers shall be entitled to vote with their respective commands. When not in actual command, such officers,

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and also all general and staff officers and all surgeons, assistant surgeons and chaplains shall be entitled to vote at any place where polls are opened. The supervisors of elections shall prepare a ballot box or other suitable receptacle for the ballots. Upon one side of every ballot shall be printed or written the name of the county and also of the city, town or plantation of this State in which is the residence of the person proposing to vote. Upon the other side shall be the name or names of the persons to be voted for, and the office or offices which he or they are intended to fill. And before receiving any vote, the supervisors, or a majority of them, must be satisfied of the age and citizenship of the person claiming to vote, and that he has in fact a residence in the county, city, town or plantation which is printed or written on the vote offered by him. If his right to vote is challenged, they may require him to make true answers, upon oath, to all interrogatories touching his age, citizenship, residence, and right to vote, and shall hear any other evidence offered by him, or by those who challenge his right. They shall keep correct poll-lists of the names of all persons allowed to vote, and of their respective places of residence in this State, and also the number of the regiment and company or battery to which they belong; which lists shall be certified by them, or by a majority of them, to be correct, and that such residence is in accordance with the indorsement of the residence of each voter on his vote. They shall check the name of every person before he is allowed to vote,

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and the check mark shall be plainly made against his name on the poll-lists. They shall sort, count and publicly declare the votes at the head of their respective commands on the day of election, unless prevented by the public enemy, and in that case as soon thereafter as may be; and on the same day of said declaration they shall form a list of the persons voted for, with the number of votes for each person against his name, and the office for which he was intended to fill, and shall sign and seal up such list and cause the same, together with the poll-lists aforesaid, to be delivered into the office of the Secretary of State aforesaid, on or before the first day of December, in the year one thousand eight hundred and sixty-four, and on or before the fifteenth day of November annually thereafter forever. The Legislature of this State may pass any law additional to the foregoing provisions, if any shall, in practice, be found necessary in order more fully to carry into effect the purpose thereof.

29.

No person shall have the right to vote or be eligible to office under the Constitution of this State who shall not be able to read the Constitution in the English language and write his name: Provided, however, That the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any person who shall be sixty years of age or upwards at the time this amendment shall take effect.

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MARYLAND.

1.

All elections shall be by ballot; and every (the word "white" expunged) male citizen of the United States, of the age of twenty-one years, or upwards, who has been a resident of the State for one year, and of the legislative district of Baltimore City, or of the county, in which he may offer to vote, for six months next preceding the election, shall be entitled to vote, in the ward or district, in which he resides, at all elections hereafter to be held in this State; and in case any county or city shall be so divided as to form portions of different electoral districts, for the election of Representatives in Congress, Senators, Delegates or other officers, then, to entitle a person to vote for such officer, he must have been a resident of that part of the county or city which shall form a part of the electoral district, in which he offers to vote, for six months next preceding the election; but a person who shall have acquired a residence in such county or city, entitling him to vote at any such election, shall be entitled to vote in the election district from which he removed, until he shall have acquired a residence in the part of the county or city to which he has removed.

MASSACHUSETTS.

1.

Every male citizen of twenty-one years of age and upwards, excepting paupers and persons under guardianship, who shall have resided within the commonwealth one year, and within the town or district in which he may claim a right to vote, six calendar months next preceding any

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election of Governor, Lieutenant-Governor, Senators or Representatives (and who shall have paid by himself, or his parents, master, or guardian, any State or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this Commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned), shall have a right to vote in such election of Governor, Lieutenant-Governor, Senators and Representatives; and no other person shall be entitled to vote in such elections. See amendments, Arts. XX, XXVIII, XXX, XXXI, XXXII. See, also, amendments, Art. XXIII, which was annulled by amendments, Art. XXVI.

4. I.

Every male person, being twenty-one years of age, and resident in any particular town in this Commonwealth for the space of one year next preceding, having a freehold estate within the said town of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to vote in the choice of a Representative or Representatives for the said town. (These provisions superseded by amendments, Arts. III, XX, XXVIII, XXX, XXXI and XXXII. See, also, amendments, Art. XXIII, which was annulled by Art. XXVI.)

MICHIGAN.

1. VII.

In all elections, every male citizen every male inhabitant residing in the State on the 24th day of June, one thousand eight

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hundred and thirty-five; every male inhabitant residing in the State on the first day of January, one thousand eight hundred and fifty, who has declared his intention to become a citizen of the United States, pursuant to the laws thereof, six months preceding an election, or who has resided in this State two years and six months, and declared his intention as aforesaid, and every civilized male inhabitant of Indian descent a native of the United States, and not a member of any tribe, shall be an elector and entitled to vote; but no citizen or inhabitant shall be an elector, or entitled to vote at any election, unless he shall be above the age of twenty-one years, and has resided in this State three months, and in the township or ward in which he offers to vote ten days next preceding such election: Provided, That in time of war, insurrection or rebellion, no qualified elector in the actual military service of the United States, or of this State, in the army or navy thereof, shall be deprived of his vote by reason of his absence from the township, ward or State in which he resides, and the Legislature shall have the power, and shall provide the manner in which, and the time and place at which, such absent electors may vote, and for the canvass and return of their votes to the township or ward election district in which they respectively reside, or otherwise.

MINNESOTA.

1. VII.

Every male person of the age of twenty-one years or upwards, belonging to either of the following classes, who shall have re-

Sec. Art.

sided in the United States one year, and in this State for four months next preceding any election, shall be entitled to vote at such election, in the election district of which he shall at the time have been for ten days a resident, for all officers that are now, or hereafter may be elected by the people:

First — Citizens of the United States.

Second — Persons of foreign birth who shall have declared their intention to become citizens, conformably to the laws of the United States upon the subject of naturalization.

Third — Persons of mixed white and Indian blood who have adopted the customs and habits of civilization.

Fourth — Persons of Indian blood residing in this State who have adopted the language, customs and habits of civilization, after an examination before any District Court of the State, in such manner as may be provided by law, and shall have been pronounced by said court capable of enjoying the rights of citizenship within the State.

8. VII.

The Legislature may, notwithstanding anything in this article, provide by law that any woman at the age of twenty-one (21) years and upward may vote at any election held for the purpose of choosing any officers for schools, or upon any measure relating to schools, and may also provide that any such woman shall be eligible to hold any office pertaining solely to the management of schools.

MISSISSIPPI.

241. XII.

Every male inhabitant of this State, except idiots, insane per-

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sons and Indians not taxed, who is a citizen of the United States, twenty-one years old and upwards, who has resided in this State two years, and one year in the election district, or in the incorporated city or town, in which he offers to vote, and who is duly registered as provided in this article, and who has never been convicted of bribery, burglary, theft, arson, obtaining money or goods under false pretenses, perjury, forgery, embezzlement or bigamy, and who has paid, on or before the first day of February of the year in which he shall offer to vote, all taxes which may have been legally required of him, and which he has had an opportunity of paying according to law, for the two preceding years, and who shall produce to the officers holding the election satisfactory evidence that he has paid said taxes, is declared to be a qualified elector; but any minister of the gospel in charge of an organized church shall be entitled to vote after six months residence in the election district, if otherwise qualified.

244.

On and after the first day of January, A. D. 1892, every elector shall, in addition to the foregoing qualifications, be able to read any section of the Constitution of this State; or he shall be able to understand the same when read to him, or give a reasonable interpretation thereof. A new registration shall be made before the next ensuing election after January the first, A. D. 1892.

245.

Electors in municipal elections shall possess all the qualifica-

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tions herein prescribed, and such additional qualifications as may be provided by law.

MISSOURI.

2. VIII.

Every male citizen of the United States, and every male person of foreign birth, who may have declared his intention to become a citizen of the United States according to law, not less than one year nor more than five years before he offers to vote, who is over the age of twenty-one years, possessing the following qualifications, shall be entitled to vote at all elections by the people.

First. He shall have resided in the State one year immediately preceding the election at which he offers to vote.

Second. He shall have resided in the county, city or town where he shall offer to vote, at least sixty days immediately preceding the election.

MONTANA.

2. IX.

Every male person of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all general elections and for all officers that now are, or hereafter may be, elective by the people, and upon all questions which may be submitted to the vote of the people: First, he shall be a citizen of the United States; second, he shall have resided in this State one year immediately preceding the election at which he offers to vote, and in the town, county or precinct such time as may be prescribed by law: Provided, first, That no person convicted of felony shall have the right to vote unless he has been pardoned; provided, second, that noth-

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ing herein contained shall be construed to deprive any person of the right to vote who has such right at the time of the adoption of this Constitution: Provided, That after the expiration of five years from the time of the adoption of this Constitution, no person except citizens of the United States shall have the right to vote.

10. IX.

Women shall be eligible to hold the office of county superintendent of schools or any school district office, and shall have the right to vote at any school district election.

9. XII.

Upon all questions submitted to the vote of the taxpayers of the State, or any political division thereof, women who are taxpayers and possessed of the qualifications for the right of suffrage required of men by this Constitution, shall equally with men have the right to vote.

NEBRASKA.

1. VII.

Every male person of the age of twenty-one years or upwards belonging to the following classes who have resided in the State six months, and in the county, precinct, or ward for the term provided by law, shall be an elector.

First. Citizens of the United States.

Second. Persons of foreign birth who shall have declared their intention to become citizens conformably to the laws of the United States on the subject of naturalization at least thirty days prior to an election.

NEVADA.

1. II.

Every male citizen of the United States (not laboring under the

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disabilities named in this constitution), of the age of twenty-one years and upwards, who shall have actually and not constructively, resided in the State six months, and in the district or county thirty days next preceding any election, shall be entitled to vote for all officers that now are or hereafter may be elected by the people, and upon all questions submitted to the electors at such election: Provided, That no person who has been or may be convicted of treason or felony in any State or territory of the United States, unless restored to civil rights; and no person who, after arriving at the age of eighteen years, shall have voluntarily borne arms against the United States, or held civil or military office under the so-called Confederate States or either of them unless an amnesty be granted to such by the Federal Government; and no idiot or insane person shall be entitled to the privilege of an elector.

1. XVIII.

The rights of suffrage and office holding shall not be withheld from any male citizen of the United States by reason of his color or previous condition of servitude.

NEW JERSEY.

1. I.

Every male citizen of the United States, of the age of twenty-one years, who shall have been a resident of this State one year, and of the county in which he claims his vote five months, next before the election, shall be entitled to vote for all officers that now are, or hereafter may be, elected by the people: Provided, That no person in the military, naval or marine service of the

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United States shall be considered a resident of this State, by being stationed in any garrison, barrack, or military or naval place or station within this State; and no pauper, idiot, insane person, or person convicted of a crime which now excludes him from being a witness unless pardoned or restored by law to the right of suffrage, shall enjoy the right of an elector: And provided further, That in time of war no elector in the actual military service of the State, or of the United States, in the army or navy thereof, shall be deprived of his vote by reason of his absence from such election district; and the Legislature shall have power to provide the manner in which, and the time and place at which, such absent electors may vote, and for the return and canvass of their votes in the election districts in which they respectively reside.

NORTH CAROLINA.

22. I.

As political rights and privileges are not dependent upon, or modified by, property, therefore no property qualification ought to effect the right to vote or hold office.

1. VI.

Every male person born in the United States, and every male person who has been naturalized, twenty-one years old or upward, who shall have resided in the State twelve months next preceding the election, and ninety days in the county in which he offers to vote, shall be deemed an elector. But no person who, upon conviction or confession in open court, shall be adjudged guilty of felony, or any other crime infamous by the laws of this State,

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and hereafter committed, shall be deemed an elector, unless such person shall be restored to the rights of citizenship in a manner prescribed by law.

NORTH DAKOTA.

121. V.

Every male person of the age of twenty-one years or upwards belonging to either of the following classes, who shall have resided in the State one year, in the county six months, and in the precinct ninety days next preceding any election, shall be deemed a qualified elector at such election:

First.—Citizen of the United States.

Second.—Persons of foreign birth who shall have declared their intentions to become citizens one year and not more than six years prior to such election, conformably to the naturalization laws of the United States.

Third.—Civilized persons of Indian descent who shall have severed their tribal relations two years next preceding such election.

122. V.

The Legislative Assembly shall be empowered to make further extensions of suffrage hereafter, at its discretion, to all citizens of mature age and sound mind, not convicted of crime, without regard to sex; but no law extending or restricting the right of suffrage shall be in force until adopted by a majority of the electors of the State voting at a general election.

128. V.

Any woman having qualifications enumerated in section 121 of this article as to age, residence and citizenship, and including those now qualified by the laws of the

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Territory, may vote for all school officers, and upon all questions pertaining solely to school matters, and be eligible to any school office.

OHIO.

1. V.

Every white male citizen of the United States, of the age of twenty-one years, who shall have been a resident of the State one year next preceding the election, and of the county, township or ward in which he resides, such time as may be provided by law, shall have the qualifications of an elector, and be entitled to vote at all elections.

OREGON.

2. II.

In all elections not otherwise provided for by this Constitution, every white male citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the State during the six months immediately preceding such election—and every white male of foreign birth of the age of twenty-one years and upwards, who shall have resided in this State during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States one year preceding such election, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote at all elections authorized by law.

PENNSYLVANIA.

1. VIII.

Every male citizen of twenty-one years of age, possessing the following qualifications, shall be entitled to vote at all elections.

First. He shall have been a citi-

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zen of the United States at least one month.

Second. He shall have resided in the State one year (or if, having previously been a qualified elector or native born citizen of the State, he shall have removed therefrom and returned, then six months), immediately preceding the election.

Third. He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election.

Fourth. If twenty-two years of age or upwards, he shall have paid within two years a State or county tax, which shall have been assessed at least two months and paid at least one month before the election.

RHODE ISLAND.

1. II.

Every male citizen of the United States, of the age of twenty-one years, who has had his residence and home in this State for one year, and in the town or city in which he may claim a right to vote, six months next preceding the time of voting, and who is really and truly possessed in his own right of real estate in such town or city of the value of one hundred and thirty-four dollars over and above all incumbrances, or which shall rent for seven dollars per annum over and above any rent reserved or the interest of any incumbrances thereon, being an estate in fee simple, fee tail, for the life of any person, or an estate in reversion or remainder, which qualifies no other person to vote, the conveyance of which estate, if by deed, shall have been recorded at least ninety days, shall thereafter have a right to vote in the elec-

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tion of all civil officers, and on all questions in all legal town or ward meetings, so long as he continues so qualified. And if any person hereinbefore described shall own any such estate within this State out of the town or city in which he resides, he shall have a right to vote in the election of all general officers and members of the General Assembly in the town or city in which he shall have had his residence and home for the term of six months next preceding the election, upon producing a certificate from the clerk of the town or city in which his estate lies, bearing date within ten days of the time of his voting, setting forth that such person has a sufficient estate therein to qualify him as a voter; and that the deed, if any, has been recorded ninety days.

2 II.

Every male native citizen of the United States, of the age of twenty-one years, who has had his residence and home in this State two years, and in the town or city in which he may offer to vote, six months next preceding the time of voting, whose name is registered pursuant to the act calling the convention to frame this Constitution, or shall be registered in the office of the clerk of such town or city at least seven days before the time he shall offer to vote, and before the last day of December in the present year; and who has paid or shall pay a tax or taxes assessed upon his estate within this State, and within a year of the time of voting, to the amount of one dollar, or who shall voluntarily pay, at least seven days before the time he shall offer to vote, and before

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said last day of December, to the clerk or treasurer of the town or city where he resides, the sum of one dollar, or such sum as with his other taxes shall amount to one dollar, for the support of public schools therein, and shall make proof of the same, by the certificate of the clerk, treasurer or collector of any town or city where such payment is made; or who, being so registered, has been enrolled in any military company in this State, and done military service or duty therein, within the present year, pursuant to law, and shall (until other proof is required by law) prove by the certificate of the officer legally commanding the regiment, or chartered, or legally authorized volunteer company in which he may have served or done duty, that he has been equipped and done duty according to law, or by the certificate of the commissioners upon military claims, that he has performed military service, shall have a right to vote in the election of all civil officers, and on all questions in all legally organized town or ward meetings, until the end of the first year after the adoption of this Constitution, or until the end of the year eighteen hundred and forty-three.

From and after that time, every such citizen who has had the residence herein required, and whose name shall be registered in the town where he resides, on or before the last day of December, in the year next preceding the time of his voting, and who shall show by legal proof that he has for and within the year next preceding the time he shall offer to vote, paid a tax or taxes assessed against him in any town

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or city in this State, to the amount of one dollar, or that he has been enrolled in a military company in this State, been equipped and done duty therein according to law, and at least for one day during such year, shall have a right to vote in the election of all civil officers, and on all questions, in all legally organized town or ward meetings: Provided, That no person shall at any time be allowed to vote in the election of the city council of the city of Providence, or upon any proposition to impose a tax, or for the expenditure of money in any town or city, unless he shall within the year next preceding have paid a tax assessed upon his property therein, valued at least at one hundred and thirty-four dollars.

1. VII.

Every male citizen of the United States of the age of twenty-one years, who has had his residence and home in this State for two years, and in the town or city in which he may offer to vote six months next preceding the time of his voting, and whose name shall be registered in the town or city where he resides on or before the last day of December, in the year next preceding the time of his voting, shall have a right to vote in the election of all civil officers and on all questions in all legally organized town or ward meetings: Provided, That no person shall, at any time be allowed to vote in the election of the city council of any city, or upon any proposition to impose a tax, or for the expenditure of money in any town or city, unless he shall within the year next preceding have paid a tax assessed upon

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his property therein, valued at least at one hundred and thirty-four dollars.

2. VII.

The assessors of each town and city shall annually assess upon every person, who, if registered, would be qualified to vote, a tax of one dollar, or such sum as with his other taxes shall amount to one dollar, which tax shall be paid into the treasury of such town or city and be applied to the support of public schools therein: Provided, That such tax assessed upon any person who has performed military duty, shall be remitted for the year he shall perform such duty; and said tax assessed upon any mariner for any year while he is at sea, or upon any person who by reason of extreme poverty is unable to pay said tax, shall upon application of such mariner or person, be remitted. The General Assembly shall have power to provide by law for the collection and remission of said tax.

3. VII.

This amendment shall take in the Constitution of the State, the place of sections 2 and 3 of article II, "Of the Qualification of Electors," which said sections are hereby annulled.

Adopted April 4, 1888.

All soldiers and sailors of foreign birth, citizens of the United States, who served in the army or navy of the United States from this State in the late civil war, and who were honorably discharged from such service, shall have the right to vote on all questions in all legally organized town, district or ward meetings, upon the same conditions and under and subject to

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the same restrictions as native born citizens.

Adopted April 7, 1886.

SOUTH CAROLINA.**2. VIII.**

Every male citizen of the United States, of the age of twenty-one years and upwards, not laboring under the disabilities named in this Constitution, without distinction of race, color or former condition, who shall be a resident of this State at the time of the adoption of this Constitution, or who shall hereafter reside in this State one year, and in the county in which he offers to vote sixty days next preceding any election, shall be entitled to vote for all officers that are now, or hereafter may be, elected by the people, and upon all questions submitted to the electors at any elections: Provided, That no person shall be allowed to vote or hold office who is now, or hereafter may be, disqualified therefor by the Constitution of the United States, until such disqualification shall be removed by the Congress of the United States: Provided, further, That no person while kept in any almshouse or asylum or of unsound mind, or confined in any public prison, shall be allowed to vote or hold office.

SOUTH DAKOTA.**19. VI.**

Elections shall be free and equal, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage. Soldiers in time of war may vote at their post of duty in or out of the State under regulations to be prescribed by the Legislature.

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1. VII.

Every male person resident of this State who shall be of the age of twenty-one years and upwards, not otherwise disqualified, belonging to either of the following classes, who shall be a qualified elector under the laws of the Territory of Dakota at the date of the ratification of this Constitution by the people, or who shall have resided in the United States one year, in this State six months, in the county thirty days, and in the election precinct where he offers his vote ten days next preceding any election, shall be deemed a qualified elector at such election:

First. Citizens of the United States.

Second. Persons of foreign birth who shall have declared their intention to become citizens conformably to the laws of the United States upon the subject of naturalization.

9. VII.

Any woman having the qualifications enumerated in section 1 of this article, as to age, residence and citizenship, and including those now qualified by the laws of the Territory, may vote at an election held solely for school purposes, and may hold any office in this State except as otherwise provided in this Constitution.

TENNESSEE.**1. IV.**

Every male person of the age of twenty-one years, being a citizen of the United States, and a resident of this State for twelve months, and of the county wherein he may offer his vote for six months next preceding the day of election, shall be entitled to vote for members of

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the General Assembly, and other civil officers for the county or district in which he resides; and there shall be no qualification attached to the right of suffrage, except that each voter shall give to the judges of election, where he offers to vote, satisfactory evidence that he has paid his poll taxes assessed against him for such preceding period as the Legislature shall prescribe, and at such time as may be prescribed by law; without which his vote cannot be received. And all male citizens of the State shall be subject to the payment of poll taxes and the performance of military duty within such ages as may be prescribed by law. The General Assembly shall have power to enact laws requiring voters to vote in the election precincts in which they may reside, and laws to secure the freedom of elections and the purity of the ballot box.

TEXAS.

2. VI.

Every male person subject to none of the foregoing qualifications, who shall have attained the age of twenty-one years and who shall be a citizen of the United States, and who shall have resided in this State one year next preceding an election, and the last six months within the district or county in which he offers to vote, shall be deemed a qualified elector; and every male person of foreign birth, subject to none of the foregoing disqualifications, who, at any time before an election, shall have declared his intention to become a citizen of the United States, in accordance with the federal naturalization laws, and shall have resided in this State

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one year next preceding such election, and the last six months in the county in which he offers to vote, shall also be deemed a qualified elector; and all electors shall vote in the election precinct of their residence: Provided, That electors living in any unorganized county, may vote at any election precinct in the county to which such county is attached for judicial purposes.

3. VI.

All qualified electors of the State, as herein described, who shall have resided for six months immediately preceding an election within the limits of any city or corporate town, shall have the right to vote for mayor and all other elective officers; but in all elections to determine expenditure of money or assumption of debt, only those shall be qualified to vote who pay taxes on property in said city or incorporated town: Provided, That no poll tax for the payment of debts thus incurred shall be levied upon the persons debarred from voting in relation thereto.

VERMONT.

21. II.

Every man of the full age of twenty-one years, having resided in this State for the space of one whole year next before the election of Representatives and is of a quiet and peaceable behavior, and will make the following oath or affirmation shall be entitled to all the privileges of a freeman of this State:

"You solemnly swear (or affirm) that whenever you give your vote or suffrage, touching any matter that concerns the State of Vermont, you will do it so as in your conscience you shall judge will most conduce to the best good of the same, as estab-

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lished by the Constitution, without fear or favor of any man."

VIRGINIA.

1. III.

Every male citizen of the United States, twenty-one years old, who shall have been a resident of the State twelve months and of the county, city or town in which he shall offer to vote, three months next preceding any election, shall be entitled to vote for members of the General Assembly and all officers elected by the people: Provided, that no officer, soldier, seaman or marine of the United States army or navy shall be considered a resident of this State by reason of being stationed therein: And provided, also, that the following persons shall be excluded from voting:

First. Idiots and lunatics.

Second. Persons convicted of bribery in any election, embezzlement of public funds, treason, felony or petit larceny.

Third. No person who, while a citizen of this State, has, since the adoption of this Constitution, fought a duel with a deadly weapon, sent or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this State, or knowingly conveyed a challenge, or aided or assisted in any manner in fighting a duel, shall be allowed to vote or hold any office of honor, profit or trust under this Constitution.

WASHINGTON.

1. VI.

All male persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections. They shall be citizens of the United States; they

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shall have lived in the State one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote: Provided, that Indians not taxed shall never be allowed the elective franchise: Provided further, that all male persons who at the time of the adoption of this Constitution are qualified electors of the Territory shall be electors.

2. VI.

The Legislature may provide that there shall be no denial of the elective franchise at any school election on account of sex.

WISCONSIN.

1. III.

Every male person, of the age of twenty-one years or upwards, belonging to either of the following classes, who shall have resided in the State for one year next preceding any election, shall be deemed a qualified elector at such election:

First. White citizens of the United States.

Second. White persons of foreign birth, who shall have declared their intention to become citizens conformably to the laws of the United States on the subject of naturalization.

Third. Persons of Indian blood, who have once been declared by law of Congress to be citizens of the United States, any subsequent law of Congress to the contrary notwithstanding.

Fourth. Civilized persons of Indian descent, not members of any tribe: Provided, That the Legislature may, at any time, extend by law the right of suffrage to persons not herein enumerated; but no such law shall be in force until the same shall have been submitted to a vote

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of the people at a general election, and approved by a majority of all the votes cast at such election.

1. III.

Every male person of the age of twenty-one years or upwards, belonging to either of the following classes, who shall have resided within the State for one year next preceding any election, and in the election district where he offers to vote such time as may be prescribed by the Legislature, not exceeding thirty days, shall be deemed a qualified elector at such election:

First—Citizens of the United States.

Second—Persons of foreign birth who shall have declared their intention to become citizens conformably to the laws of the United States on the subject of naturalization.

Third—Persons of Indian blood who have once been declared by law of Congress to be citizens of the United States, any subsequent law of Congress to the contrary notwithstanding.

Fourth—Civilized persons of Indian descent not members of any tribe; provided, that the Legislature may at any time extend by law the right of suffrage to persons not herein enumerated; but no such law shall be in force until the same shall be submitted to a vote of the people at a general election and approved by a majority of all the votes cast at such election; and provided further, that in incorporated

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cities and villages, the Legislature may provide for the registration of electors and prescribe proper rules and regulations therefor.

WYOMING.

1. VI.

The rights of citizens of the State of Wyoming to vote and hold office shall not be denied or abridged on account of sex. Both male and female citizens of this State shall equally enjoy all civil, political and religious rights and privileges.

2. VI.

Every citizen of the United States of the age of twenty-one years and upwards, who has resided in the State or Territory one year, and in the county wherein such residence is located sixty days next preceding any election, shall be entitled to vote at such election, except as herein otherwise provided.

5. VI.

No person shall be deemed a qualified elector of this State, unless such person be a citizen of the United States.

10. VI.

Nothing herein contained shall be construed to deprive any person of the right to vote who has such right at the time of the adoption of this Constitution, unless disqualified by the restrictions of section six of this article. After the expiration of five years from the time of the adoption of this Constitution, none but citizens of the United States shall have the right to vote.

Persons Excluded from the Right of Suffrage, etc.

PERSONS EXCLUDED FROM THE RIGHT OF SUFFRAGE, ETC.

1 Sec. 2. No person who shall receive, accept, or offer to
2 receive, or pay, offer or promise to pay, contribute, offer or
3 promise to contribute to another, to be paid or used, any
4 money or other valuable thing as a compensation or reward
5 for the giving or withholding a vote at an election, or who
6 shall make any promise to influence the giving or withholding
7 any such vote, or who shall make or become directly or indi-
8 rectly interested in any bet or wager depending upon the result
9 of any election, shall vote at such election; and upon challenge
10 for such cause, the person so challenged, before the officers
11 authorized for that purpose shall receive his vote, shall swear
12 or affirm, before such officers that he has not received or
13 offered, does not expect to receive, has not paid, offered or
14 promised to pay, contributed, offered or promised to con-
15 tribute to another, to be paid or used, any money or other
16 valuable thing as a compensation or reward for the giving or
17 withholding a vote at such election, and has not made any
18 promise to influence the giving or withholding of any such
19 vote, nor made or become directly or indirectly interested in
20 any bet or wager depending upon the result of such election.
21 The Legislature shall enact laws excluding from the right of
22 suffrage all persons convicted of bribery or of any infamous
23 crime.

Persons Excluded from the Right of Suffrage, etc.

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ALABAMA.**3. VIII.**

The following classes shall not be permitted to register, vote or hold office: **First.** Those who shall have been convicted of treason, embezzlement of public funds, malfeasance in office, larceny, bribery, or other crime, punishable by imprisonment in the penitentiary. **Second.** Those who are idiots or insane.

ARKANSAS.**5. III.**

No idiot or insane person shall be entitled to the privileges of an elector.

CALIFORNIA.**11. XX.**

Laws shall be made to exclude from office, serving on juries, and from the right of suffrage, persons convicted of bribery, perjury, forgery, malfeasance in office, or other high crimes. The privilege of free suffrage shall be supported by laws regulating elections, and prohibiting, under adequate penalties, all undue influence thereon from power, bribery, tumult, or other improper practice.

COLORADO.**10. VII.**

No person while confined in any public prison shall be entitled to vote; but every such person who was a qualified elector prior to such imprisonment, and who is released therefrom by virtue of a pardon, or by virtue of having served out his term of imprisonment, shall, without further action, be invested with all the rights of citizenship, except as otherwise provided in this Constitution.

CONNECTICUT.**3. VI.**

The privileges of an elector shall be forfeited by a conviction of

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bribery, forgery, perjury, dueling, fraudulent bankruptcy, theft or other offense for which an infamous punishment is inflicted. (May be restored, amendment Article XVII).

6. VI.

Laws shall be made to support the privilege of free suffrage, prescribing the manner of regulating and conducting meetings of the electors, and prohibiting, under adequate penalties, all undue influence therein, from power, bribery, tumult and other improper conduct

DELAWARE.**1. IV.**

(All elections for Governor, Senators, Representatives, sheriffs and coroners shall be held on the Tuesday next after the first Monday in the month of November of the year in which they are to be held, and be by ballot.)

(But the Legislature may by law prescribe the means, methods and instruments of voting so as to best secure secrecy and the independence of the voter; preserve the freedom and purity of elections and prevent fraud, corruption and intimidation thereat.)

And in such elections every free white male citizen, of the age of twenty-two years or upwards, having resided in the State one year next before the election, and the last month thereof in the county where he offers to vote, and having within two years next before the election, paid a county tax, which shall have been assessed at least six months before the election, shall enjoy the right of an elector; and every free white male citizen of the age of twenty-one years and under

Persons Excluded from the Right of Suffrage, etc.

Sec. Art.

the age of twenty-two years, having resided as aforesaid, shall be entitled to vote without payment of any tax: Provided, that no person in the military, naval or marine service of the United States, shall be considered as acquiring a residence in this State by being stationed in any garrison, barrack or military or naval place or station within this State; and no idiot or insane person, pauper or person convicted of a crime deemed by law felony, shall enjoy the right of an elector; and that the Legislature may impose the forfeiture of the right of suffrage as a punishment for crime.

FLORIDA.

4. VI.

No person under guardianship, non compos mentis or insane, shall be qualified to vote at any election, nor shall any person convicted of felony by a court of record be qualified to vote at any election unless restored to civil rights.

5. VI.

The Legislature shall have power to, and shall, enact the necessary laws to exclude from every office of honor, power, trust or profit, civil or military, within the State, and from the right of suffrage, all persons convicted of bribery, perjury, larceny, or infamous crime, or who shall make or become directly or indirectly interested in, any bet or wager, the result of which shall depend upon any election; or that shall hereafter fight a duel or send or accept a challenge to fight, or that shall be a second to either party, or that shall be the bearer of such challenge or acceptance; but the legal disability shall

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not accrue until after trial and conviction by due form of law.

GEORGIA.

1. I.

The General Assembly may provide, from time to time, for the registration of all electors, but the following classes of persons shall not be permitted to register, vote or hold any office, or appointment of honor or trust in this State, to wit: First. Those who shall have been convicted, in any court of competent jurisdiction, of treason against the State, of embezzlement of public funds, malfeasance in office, bribery or larceny, or of any crime involving moral turpitude, punishable by the laws of this State with imprisonment in the penitentiary, unless such person shall have been pardoned. Second, Idiots and insane persons.

IDAHO.

3. VI.

No person is permitted to vote, serve as a juror or hold any civil office, who is under guardianship, idiotic or insane, or who has, at any place, been convicted of treason, felony, embezzlement of the public funds, bartering or selling, or offering to barter or sell his vote, or purchasing or offering to purchase the vote of another, or other infamous crime, and who has not been restored to the rights of citizenship, or who, at the time of such election is confined in prison on conviction of a criminal offense, or who is a bigamist or polygamist, or is living in what is known as patriarchal, plural or celestial marriage, or in violation of any law of this State or of the United States, forbidding any such crime; or who, in any man-

Persons Excluded from the Right of Suffrage, etc.

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ner, teaches, counsels, aids or encourages any person to enter into bigamy, polygamy or such patriarchal, plural or celestial marriage, or to live in violation of any such law, or to commit any such crime; or who is member of or contributes to the support, aid or encouragement of any order, organization, association, corporation or society, which teaches, advises, counsels, encourages or aids any person to enter into bigamy, polygamy or such patriarchal or plural marriage, or which teaches or advises that the laws of this State prescribing rules of civil conduct, are not the supreme law of this State; nor shall Chinese or persons of Mongolian descent, not born in the United States, nor Indians not taxed, who have not severed their tribal relations and adopted the habits of civilization, either vote, serve as jurors, or hold any civil office.

ILLINOIS.

7. VII.

The General Assembly shall pass laws excluding from the right of suffrage persons convicted of infamous crimes.

INDIANA.

5. II.

No negro or mulatto shall have the right of suffrage.

8. II.

The General Assembly shall have power to deprive of the right of suffrage, and to render ineligible any person convicted of an infamous crime.

IOWA.

5. II.

No idiot or insane person, or person convicted of any infamous crime, shall be entitled to the privilege of an elector.

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KANSAS.

2. V.

No person under guardianship, non compos mentis, or insane; no person convicted of felony, unless restored to civil rights; no person who has been dishonorably discharged from the service of the United States unless reinstated; no person guilty of defrauding the government of the United States, or any of the states thereof; no person guilty of giving or receiving a bribe, or offering to give or receive a bribe; and no person who has ever voluntarily borne arms against the government of the United States, or in any manner voluntarily aided or abetted in the attempted overthrow of said government, except all persons who have been honorably discharged from the military service of the United States since the first day of April, A. D. 1861, provided that they have served one year or more therein, shall be qualified to vote or hold office in this State, until such disability shall be removed by a law passed by a vote of two-thirds of all the members of both branches of the Legislature.

KENTUCKY.

6.

All elections shall be free and equal.

LOUISIANA.

148.

No person shall hold any office, State, parochial or municipal, or shall be permitted to vote at any election or act as a juror, who, in due course of law, shall have been convicted of treason, perjury, forgery, bribery or other crime punishable by imprisonment in the penitentiary, or who shall be under interdiction.

Persons Excluded from the Right of Suffrage, etc.

Sec. Art.

187.

The following persons shall not be permitted to register, vote or hold any office or appointment of honor, profit or trust in this State, to wit:

Those who shall have been convicted of treason, embezzlement of public funds, malfeasance in office, larceny, bribery, illegal voting, or other crime punishable by hard labor or imprisonment in the penitentiary, idiots and insane persons.

MAINE.

13. IX.

The Legislature may enact laws excluding from the right of suffrage, for a term not exceeding ten years, all persons convicted of bribery at any election, or of voting at any election under the influence of a bribe.

MARYLAND.

2. I.

No person above the age of twenty-one years, convicted of larceny or other infamous crime, unless pardoned by the Governor, shall ever thereafter be entitled to vote at any election in this State; and no person under guardianship, as a lunatic, as a person non compos mentis, shall be entitled to vote.

3. I.

If any person shall give or offer to give, directly or indirectly, any bribe, present or reward, or any promise, or any security for the payment, or the delivery of money, or any other thing, to induce any voter to refrain from casting his vote, or to prevent him in any way from voting, or to procure a vote for any candidate or persons proposed, or voted for, as elector of President and Vice-President of the United States, or Repre-

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sentative in Congress, or for any office of profit or trust, created by the Constitution and laws of this State, or by the ordinances or authority of the mayor and city council at Baltimore, the person giving or offering to give, and the person receiving the same, and any person who gives or causes to be given an illegal vote, knowing it to be such, at any election to be hereafter held in this State, shall, on conviction in a court of law, in addition to the penalties now or hereafter to be imposed by law, be forever disqualified to hold any office of profit or trust, or to vote at any election thereafter.

MASSACHUSETTS.

20.

No person shall have the right to vote, or be eligible to office under the Constitution of this Commonwealth, who shall not be able to read the Constitution in the English language, and write his name: Provided, however, that the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any person who shall be sixty years of age or upwards at the time this amendment shall take effect.

23.

(No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the Constitution and laws of this Commonwealth: Provided, That this

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amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and, provided, further, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom.) (Annulled by article XXVI.)

24.

The twenty-third article of the articles of amendment of the Constitution of this Commonwealth, which is as follows, to wit: "No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the Constitution and laws of this Commonwealth: Provided, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and, provided, further, That it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom," is hereby wholly annulled.

15. IV. MINNESOTA.

The Legislature shall have full power to exclude from the privilege of electing or being elected, any person convicted of bribery, perjury, or any other infamous crime.

2. VII.

No person not belonging to one of the classes specified in the preceding section; no person who has been convicted of treason or any felony, unless restored to civil rights; and no person under

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guardianship, or who may be non compos mentis or insane, shall be entitled or permitted to vote at any election in this State.

MISSISSIPPI.

19. III.

Human life shall not be imperiled by the practice of dueling; and any citizen of this State who shall hereafter fight a duel, or assist in the same as second, or send, accept, or knowingly carry a challenge therefor, whether such act be done in the State, or out of it, or who shall go out of the State to fight a duel, or to assist in the same as second, or to send, accept or carry a challenge, shall be disqualified from holding any office under this Constitution and shall be disfranchised.

MISSOURI.

10. VIII.

The General Assembly may enact laws excluding from the right of voting all persons convicted of felony or other infamous crime, or misdemeanors connected with the exercise of the right of suffrage.

MONTANA.

8. IX.

No idiot or insane person shall be entitled to vote at any election in this State.

NEBRASKA.

2. VII.

No person shall be qualified to vote who is non compos mentis, or who has been convicted of treason or felony under the law of the State or of the United States, unless restored to civil rights.

NEVADA.

3. XV.

No person shall be eligible to any office who is not a qualified elect-

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or under this Constitution. No person who, while a citizen of this State, has, since the adoption of this Constitution, fought a duel with a deadly weapon, sent or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this State, or who has acted as second, or knowingly conveyed a challenge or aided or assisted in any manner in fighting a duel, shall be allowed to hold any office of honor, profit or trust, or enjoy the right of suffrage under this Constitution. The Legislature shall provide by law for giving force and effect to the foregoing provisions of this section: Provided, That females over the age of twenty-one years, who have resided in this State one year, and in the county or district six months next preceding any election to fill either of said offices, shall be eligible to the offices of superintendent of public schools and school trustee.

2. II. NEW JERSEY.

The Legislature may pass laws to deprive persons of the right of suffrage who shall be convicted of bribery.

NORTH DAKOTA.

127. V.

No person who is under guardianship, non compos mentis or insane, shall be qualified to vote at any election, nor shall any person convicted of treason or felony, unless restored to civil rights.

OHIO.

4. V.

The General Assembly shall have power to exclude from the privilege of voting, or of being eligible

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to office, any person convicted of bribery, perjury or other infamous crime.

6. V.

No idiot or insane person shall be entitled to the privileges of an elector.

OREGON.

1. I.

All elections shall be free and equal.

3. II.

No idiot or insane person shall be entitled to the privileges of an elector; and the privilege of an elector shall be forfeited, by a conviction of any crime which is punishable by imprisonment in the penitentiary.

6. II.

No negro, Chinaman, or mulatto shall have the right of suffrage.

PENNSYLVANIA.

8. VIII.

Any person, who shall give, or promise or offer to give to any elector, any money, reward or other valuable consideration for his vote at an election, or for withholding the same, or who shall give or promise to give such consideration to any person or party for such elector's vote or for the withholding thereof, and any elector who shall receive or agree to receive, for himself or for another, any money, reward or other valuable consideration for his vote at an election, or for withholding the same, shall thereby forfeit the right to vote at such election, and any elector whose right to vote shall be challenged for such cause before the election officers, shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received.

Persons Excluded from the Right of Suffrage, etc.

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9. VIII.

Any person who shall, while a candidate for office, be guilty of bribery, fraud, or willful violation of any election law, shall be forever disqualified from holding an office of trust or profit in this Commonwealth; and any person convicted of willful violation of the election laws shall, in addition to any penalties provided by law, be deprived of the right of suffrage absolutely for a term of four years.

RHODE ISLAND.

4. II.

No person in the military, naval, marine or any other service of the United States shall be considered as having the required residence by reason of being employed in any garrison, barrack or military or naval station in this State; and no pauper, lunatic, person non compos mentis, person under guardianship, or member of the Narragansett tribe of Indians, shall be permitted to be registered or to vote. Nor shall any person convicted of bribery, or of any crime deemed infamous at common law, be permitted to exercise that privilege, until he be expressly restored thereto by act of the General Assembly.

5. II.

Persons residing on lands ceded by this State to the United States shall not be entitled to exercise the privilege of electors.

SOUTH CAROLINA.

31. I.

All elections shall be free and open, and every inhabitant of this Commonwealth possessing the qualifications provided for in this Constitution shall have an equal right to elect officers and be elected to fill public office.

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8. VIII.

The General Assembly shall never pass any law that will deprive any of the citizens of this State of the right of suffrage, except for treason, murder, robbery, or dueling, whereof the persons shall have been duly tried and convicted.

That section 8, article VIII, of the Constitution be amended by inserting therein, after the word "murder," the following words: "burglary, larceny, perjury, forgery or any other infamous crime," so that the section, when amended, shall read as follows:

"Sec. 8. The General Assembly shall never pass any law that will deprive any of the citizens of this State of the right of suffrage, except for treason, murder, burglary, larceny, perjury, forgery or any other infamous crime, or dueling, whereof the person shall have been duly tried and convicted." (Ratified December 31, 1882.)

SOUTH DAKOTA.

8. VII.

No person under guardianship, non compos mentis or insane, shall be qualified to vote at any election, nor shall any person convicted of treason or felony be qualified to vote at any election unless restored to civil rights.

TENNESSEE.

5. I.

That elections shall be free and equal, and the right of suffrage, as hereinafter declared, shall never be denied to any person entitled thereto, except upon a conviction by a jury of some infamous crime, previously ascertained and declared by law, and judgment thereon by a court of competent jurisdiction.

Persons Excluded from the Right of Suffrage, etc.

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2. IV.

Laws may be passed excluding from the right of suffrage persons who may be convicted of infamous crimes.

TEXAS.

1. VI.

The following classes of persons shall not be allowed to vote in this State, to wit: First. Persons under twenty-one years of age. Second. Idiots and lunatics. Third. All paupers supported by the county. Fourth. All persons convicted of any felony, subject to such exceptions as the Legislature may make. Fifth. All soldiers, marines, and seamen employed in the service of the army or navy of the United States.

2. XVI.

Laws shall be made to exclude from office, serving on juries, and from the right of suffrage, those who may have been or shall hereafter be convicted of bribery, perjury, forgery or other high crimes. The privilege of free suffrage shall be protected by laws regulating elections, and prohibiting under adequate penalties all undue influence therein from power, bribery, tumult, or other improper practice.

3. XVI.

The Legislature shall make provision whereby persons convicted of misdemeanors and committed to the county jails in default of payment of fines and costs, shall be required to discharge such fines and costs by manual labor, under such regulations as may be prescribed by law.

4. XVI.

Any citizen of this State who shall after the adoption of this Constitution, fight a duel with deadly

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weapons, or send or accept a challenge to fight a duel with deadly weapons, either within this State or out of it, or who shall act as second, or knowingly assist in any manner those thus offending shall be deprived of the right of suffrage, or of holding any office of trust or profit under this State.

VERMONT.

34. II.

All elections, whether by the people or the Legislature, shall be free and voluntary; and any elector who shall receive any gift or reward for his vote in meat, drink, moneys or otherwise, shall forfeit his right to elect at that time, and suffer such other penalty as the law shall direct; and any person who shall directly or indirectly give, promise or bestow, any such rewards to be elected, shall thereby be rendered incapable to serve for the ensuing year, and be subject to such further punishment as a future Legislature shall direct.

WASHINGTON.

6. III.

Laws may be passed excluding from the right of suffrage all persons who have been or may be convicted of bribery or larceny, or of any infamous crime, and depriving every person who shall make, or become directly or indirectly interested in, any bet or wager depending upon the result of any election, from the right to vote at such election.

3. VI.

All idiots, insane persons and persons convicted of infamous crime, unless restored to their civil rights, are excluded from the elective franchise.

Persons Excluded from the Right of Suffrage, etc.

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WEST VIRGINIA.**1. IV.**

The male citizens of the State shall be entitled to vote at all elections held within the counties in which they respectively reside but no person who is a minor, or of unsound mind, or a pauper, or who is under conviction of treason, felony or bribery in an election, or who has not been a resident of the State for one year, and of the county in which he offers to vote, for sixty days next preceding such offer, shall be permitted to vote while such disability continues; but no person in the military, naval or marine service of the United States shall be deemed a resident of this State by reason of being stationed therein.

WISCONSIN.**2. III.**

No person under guardianship, non compos mentis, or insane, shall be qualified to vote at any election; nor shall any person convicted of treason or felony be qualified to vote at any elec-

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tion unless restored to civil rights.

2. XIII.

Any inhabitant of this State who may hereafter be engaged, either directly or indirectly, in a duel, either as principal or accessory, shall forever be disqualified as an elector, and from holding any office under the Constitution and laws of this State, and may be punished in such other manner as shall be prescribed by law.

WYOMING.**6. VI.**

All idiots, insane persons, and persons convicted of infamous crimes, unless restored to civil rights, are excluded from the elective franchise.

9. VI.

No person shall have the right to vote who shall not be able to read the Constitution of this State. The provisions of this section shall not apply to any person prevented by physical disability from complying with its requirements.

Certain Employments not to Affect Residences, etc.

**CERTAIN EMPLOYMENTS NOT TO AFFECT RESIDENCE OF
VOTERS.**

1 Sec. 3. For the purpose of voting, no person shall be deemed
2 to have gained or lost a residence, by reason of his presence
3 or absence, while employed in the service of the United States;
4 nor while engaged in the navigation of the waters of this State,
5 or of the United States, or of the high seas; nor while a student
6 of any seminary of learning; nor while kept at any alms-house
7 or other asylum, or institution wholly or partly supported at
8 public expense or by charity; nor while confined in any public
9 prison.

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ARKANSAS.

7. III.

No soldier, sailor or marine in the military or naval service of the United States shall acquire a residence by reason of being stationed on duty in this State.

7. XIX.

Absence on business of the State or of the United States, or on a visit or on necessary private business, shall not cause a forfeiture of residence once obtained.

CALIFORNIA.

4. II.

For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States; nor while engaged in the navigation of the waters of this State, or of the United States, or of the high

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seas; nor while a student at any seminary of learning; nor while kept in any almshouse or other asylum, at public expense; nor while confined in any public prison.

12. XX.

Absence from this State on business of the State, or of the United States, shall not affect the question of residence of any person.

COLORADO.

4. VII.

For the purpose of voting and eligibility to office, no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while in the civil or military service of the State, or of the United States, nor while a student at any institution of learning, nor while kept at pub-

Certain Employments not to Affect Residences, etc.

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lic expense in any poorhouse or other asylum, nor while confined in public prison.

IDAHO.**5. VI.**

For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of this State, or of the United States, nor while engaged in the navigation of the waters of this State, or of the United States, nor while a student of any institution of learning, nor while kept at any almshouse or other asylum at the public expense.

ILLINOIS.**5. VII.**

No soldier, seaman or marine, in the army or navy of the United States, shall be deemed a resident of this State in consequence of being stationed therein.

INDIANA.**3. II.**

No soldier, seaman or marine, in the army or navy of the United States, or their allies, shall be deemed to have acquired a residence in this State in consequence of having been stationed within the same; nor shall any such soldier, seaman or marine have the right to vote.

4. II.

No person shall be deemed to have lost his residence in the State by reason of his absence either on business of the State or of the United States.

IOWA.**4. II.**

No person in the military, naval or marine service of the United States shall be considered a resident of this State by being sta-

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tioned in any garrison, barrack or military or naval place or station within this State.

KANSAS.**3. V.**

For the purpose of voting, no person shall be deemed to have gained a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of this State, or of the United States, or of the high seas, nor while a student of any seminary of learning, nor while kept at any almshouse or other asylum at public expense, nor while confined in any public prison; and the Legislature may make provision for taking the votes of electors who may be absent from their townships or wards, in the volunteer military service of the United States, or the militia service of this State; but nothing herein contained shall be deemed to allow any soldier, seaman or marine in the regular army or navy of the United States the right to vote.

KENTUCKY.**146.**

No person in the military, naval or marine service of the United States shall be deemed a resident of this State by reason of being stationed within the same.

LOUISIANA.**164.**

No soldier, sailor or marine in the military or naval service of the United States shall hereafter acquire a domicile in this State by reason of being stationed or doing duty in the same.

193.

For the purpose of voting, no per-

Certain Employments not to Affect Residences, etc.

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son shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while employed in the service, either civil or military, of this State or of the United States: nor while engaged in the navigation of the waters of the State or the United States, or of the high seas, nor while a student of any institution of learning.

MAINE.

12. IX.

But citizens of this State, absent therefrom in the military service of the United States or of this State, and not in the regular army of the United States, being otherwise qualified electors, shall be allowed to vote for judges and registers of probate, sheriffs, and all other county officers on the Tuesday next after the first Monday in November, in the year one thousand eight hundred and sixty-four, and their votes shall be counted and allowed in the same manner and with the same effect as if given on the second Monday of September in that year. And they shall be allowed to vote for all such officers on the second Monday in September annually thereafter forever. And the votes shall be given at the same time and in the same manner, and the names of the several candidates shall be printed or written on the same ballots with those for Governor, Senators and Representatives, as provided in section four, article second of this Constitution.

MARYLAND.

4

No elector shall be deemed to have lost his residence in this State by reason of his absence on business of the United States

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or of this State, or in the military or naval service of the United States.

MASSACHUSETTS.

8.

Every male citizen of twenty-one years of age and upwards, excepting paupers and persons under guardianship, who shall have resided within the Commonwealth one year, and within the town or district in which he may claim a right to vote six calendar months next preceding any election of Governor, Lieutenant-Governor, Senators or Representatives (and who shall have paid, by himself, or his parents, master or guardian, any State or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this Commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned), shall have a right to vote in such election of Governor, Lieutenant-Governor, Senators and Representatives; and no other person shall be entitled to vote in such elections. (See amendments, Arts. XX, XXVIII, XXX, XXXI, XXXII. See, also, amendments, Art. XXIII, which was annulled by amendments, Art. XXVI.)

28.

No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of being a pauper; or, if a pauper, because of the non-payment of a poll tax.

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30.

No person, otherwise qualified to vote in elections for Governor, Lieutenant-Governor, Senators and Representatives, by reason of a change of residence within the Commonwealth, be disqualified from voting for said officers in the city or town from which he has removed his residence, until the expiration of six calendar months from the time of such removal.

31.

Article twenty-eight of the amendments of the Constitution is hereby amended by striking out in the fourth line thereof the words "being a pauper," and inserting in place thereof the words "receiving or having received aid from any city or town," and also by striking out in said fourth line the words "if a pauper," so that the article as amended shall read as follows: Article XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of receiving or having received aid from any city or town, or because of the non-payment of a poll tax.

32.

So much of article three of the amendments of the Constitution of the Commonwealth as is contained in the following words: "And who shall have paid, by himself, or his parents, master, guardian, any State or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this Commonwealth; and also

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every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects qualified as above mentioned," is hereby annulled.

MICHIGAN.

5. VII.

No elector shall be deemed to have gained or lost a residence by reason of his being employed in the service of the United States, or of this State; nor while engaged in the navigation of the waters of this State, or of the United States; or of the high seas, nor while a student of any seminary of learning; nor while kept at any alms-house or other asylum at public expense; nor while confined in any public prison.

7. VII.

No soldier, seaman nor marine in the army or navy of the United States shall be deemed a resident of this State in consequence of his being stationed in any military or naval place within the same.

MINNESOTA.

3. VII.

For the purpose of voting, no person shall be deemed to have lost a residence by reason of his absence while employed in the service of the United States; nor while engaged upon the waters of this State or of the United States; nor while a student in any seminary of learning; nor while kept at any alms-house or asylum; nor while confined in any public prison.

4. VII.

No soldier, seaman or marine in the army or navy of the United States shall be deemed a resident of this State in consequence of being stationed within the same.

Certain Employments not to Affect Residences, etc.

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MISSOURI.**7. VIII.**

For the purpose of voting, no person shall be deemed to have gained a residence by reason of his absence, while employed in the service, either civil or military, of this State or of the United States, nor while engaged in the navigation of the waters of the State or of the United States, or of the high seas, nor while a student of any institution of learning, nor while kept in a poorhouse or other asylum at public expense, nor while confined in public prison.

8. VIII.

No person, while kept at any poorhouse or other asylum, at public expense, nor while confined in any public prison, shall be entitled to vote at any election under the laws of this State.

11. VIII.

No officer, soldier or marine, in the regular army or navy of the United States, shall be entitled to vote at any election in this State.

MONTANA.**3. IX.**

For the purpose of voting no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the State, or of the United States, nor while engaged in the navigation of the waters of the State or of the United States, nor while a student at any institution of learning, nor while kept at any alms-house or other asylum at the public expense, nor while confined in any public prison.

6. IX.

No soldier, seaman or marine in the army or navy of the United States shall be deemed a resident of this State in consequence

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of being stationed at any military or naval place within the same.

NEBRASKA.**4. VII.**

No soldier, seaman or marine in the army and navy of the United States shall be deemed a resident of the State in consequence of being stationed therein.

NEVADA.**2. II.**

For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of the United States, or of the high seas; nor while a student of any seminary of learning; nor while kept at any alms-house or other asylum, at public expense; nor while confined in any public prison.

3. II.

The right of suffrage shall be enjoyed by all persons otherwise entitled to the same who may be in the military or naval service of the United States: Provided, The votes so cast shall be made to apply to the county and township of which said voters were bona fide residents at the time of their enlistment; and provided further, that the payment of a poll tax or a registration of such voters shall not be required as a condition to the right of voting. Provision shall be made by law regulating the manner of voting, holding elections, and making returns of such elections, wherein other provisions are not contained in this Constitution.

NORTH DAKOTA.**125. V.**

No elector shall be deemed to have lost his residence in this

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State by reason of his absence on business of the United States, or of this State, or in the military or naval service of the United States.

126. V.

No soldier, seaman or marine, in the army or navy of the United States, shall be deemed a resident of this State in consequence of his being stationed therein.

OHIO.**5. V.**

No person in the military, naval or marine service of the United States shall, by being stationed in any garrison, military or naval station, within the State, be considered a resident of this State.

OREGON.**4. II.**

For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States or of this State; nor while engaged in the navigation of the waters of this State or of the United States, or of the high seas; nor while a student of any seminary of learning; nor while kept at any alms-house, or other asylum, at public expense; nor while confined in any public prison.

5. II.

No soldier, seaman or marine in the army or navy of the United States, or of their allies, shall be deemed to have acquired a residence in the State in consequence of having been stationed within the same; nor shall any such soldier, seaman or marine have the right to vote.

PENNSYLVANIA.**6.**

Whenever any of the qualified electors of this Commonwealth

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shall be in actual military service, under a requisition from the President of the United States, or by the authority of this Commonwealth, such electors may exercise the right of suffrage in all elections by the citizens, under such regulations as are or shall be prescribed by law, as fully as if they were present at their usual places of election.

13. VIII.

For the purpose of voting, no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while employed in the service, either civil or military, of this State or of the United States, nor while engaged in the navigation of the waters of the State, or of the United States, or on the high seas, nor while a student of any institution of learning, nor while kept in any poorhouse or other asylum at public expense, nor while confined in public prison.

RHODE ISLAND.**4. IV.**

Electors of this State who, in time of war, are absent from the State, in the actual military service of the United States, being otherwise qualified, shall have a right to vote in all elections in the State for electors of President and Vice-President of the United States, Representatives in Congress and general officers of the State. The General Assembly shall have full power to provide by law for carrying this article into effect; and until such provision shall be made by law, every such absent elector on the day of such elections may deliver a written or printed ballot, with the names of the persons voted for thereon, and his Christian

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and surname, and his voting residence in the State, written at length on the back thereof, to the officer commanding the regiment or company to which he belongs; and all such ballots, certified by such commanding officer to have been given by the elector whose name is written thereon, and returned by such commanding officer to the Secretary of State within the time prescribed by law for counting the votes in such elections, shall be received and counted with the same effect as if given by such elector in open town, ward or district meeting; and the clerk of each town or city, until otherwise provided by law, shall, within five days after any such election, transmit to the Secretary of State a certified list of the names of all such electors on their respective voting lists.

Adopted August, 1864.

SOUTH CAROLINA.

35. I.

Temporary absence from the State shall not forfeit a residence once obtained.

4. VIII.

For the purpose of voting, no person shall be deemed to have lost his residence by reason of absence while employed in the service of the United States, nor while engaged upon the waters of this State or the United States, or of the high seas, nor while temporarily absent from the State.

5. VIII.

No soldier, seaman or marine in the army or navy of the United States shall be deemed a resident of this State in consequence of having been stationed therein.

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SOUTH DAKOTA.

6. VII.

No elector shall be deemed to have lost his residence in this State by reason of his absence on business of the United States or of this State, or in the military or naval service of the United States.

7. VII.

No soldier, seaman or marine in the army or navy of the United States shall be deemed a resident of this State in consequence of being stationed therein.

TEXAS.

9. XVI.

Absence on business of the State or of the United States shall not forfeit a residence once obtained, so as to deprive any one of the right of suffrage, or of being elected or appointed to any office, under the exceptions contained in this Constitution.

WASHINGTON.

4. VI.

For the purpose of voting and eligibility to office, no person shall be deemed to have gained a residence by reason of his presence or lost it by reason of his absence, while in the civil or military service of the State or the United States, nor while a student at any institution of learning, nor while kept at public expense at any poorhouse or other asylum, nor while confined in public prison, nor while engaged in the navigation of the waters of this State or of the United States, or of the high seas.

WISCONSIN.

4. III.

No person shall be deemed to have lost his residence in this State by reason of his absence on business of the United States, or of this State.

Certain Employments not to Affect Residences, etc.

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5. III.

No soldier, seaman or marine, in the army or navy of the United States, shall be deemed a resident of this State in consequence of being stationed within the same.

WYOMING.**7. VI.**

No elector shall be deemed to have lost his residence in the State,

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by reason of his absence on business of the United States, or of this State, or in the military or naval service of the United States.

8. VI.

No soldier, seaman or marine in the army or navy of the United States shall be deemed a resident of this State in consequence of his being stationed therein.

Laws to be Passed.

LAWS TO BE PASSED.

1 Sec. 4. Laws shall be made for ascertaining, by proper
 2 proofs, the citizens who shall be entitled to the right of suffrage
 3 hereby established, and for the registration of voters; which
 4 registration shall be completed at least ten days before each
 5 election. Such registration shall not be required for town and
 6 village elections except by express provision of law. In cities
 7 and villages having five thousand inhabitants or more, accord-
 8 ing to the last preceding State enumeration of inhabitants,
 9 voters shall be registered upon personal application only; but
 10 voters not residing in such cities or villages shall not be
 11 required to apply in person for registration at the first meeting
 12 of the officers having charge of the registry of voters.

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ALABAMA**32. I.**

That temporary absence from the State shall not cause a forfeiture of residence once obtained.

34. I.

The right of suffrage shall be protected by laws regulating elections, and prohibiting, under adequate penalties, all undue influences from power, bribery, tumult or other improper conduct.

5. VIII.

The General Assembly shall pass laws, not inconsistent with the Constitution, to regulate and

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govern elections in this State, and all such laws shall be uniform throughout the State. The General Assembly may, when necessary, provide by law for the registration of electors throughout the State, or in any incorporated city or town thereof, and when it is so provided no person shall vote at any election unless he shall have registered, as required by law.

COLORADO.**11. I.**

The General Assembly shall pass laws to secure the purity of

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elections, and guard against abuses of the elective franchise.

26. 3.

Laws shall be passed regulating elections, and prohibiting, under adequate penalties, all undue influence thereon from power, bribery, tumult or other improper practice.

11. IV.

The Legislature shall prescribe the manner of conducting and making returns of elections, and of determining contested elections; and shall pass such laws as may be necessary and proper to prevent intimidation, disorder or violence at the polls, and corruption or fraud in voting, counting the vote, ascertaining or declaring the result, or fraud in any manner, upon the ballot.

CONNECTICUT.

5. VI.

The selectmen and town clerk of the several towns shall decide on the qualifications of electors, at such times and in such manner as may be prescribed by law.

FLORIDA.

7. VI.

At any election at which a citizen or subject of any foreign country shall offer to vote, under the provisions of this Constitution, if required by an elector, he shall produce to the persons lawfully authorized to conduct and supervise such election a duly sealed and certified copy of his declaration of intention, and if unable to do so by reason that such copy cannot be obtained at the time of said election, he shall be allowed to make affidavit before a proper officer, setting forth the reason why he is unable to furnish such certificate, and if said affidavit prove satisfactory to the inspec-

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tors, they shall allow said elector to cast his vote; and any naturalized citizen offering to vote shall, if so required by an elector, produce his certificate of naturalization, or a duly certified copy thereof, and in the event that said elector cannot produce the same, he shall be allowed to make affidavit before a proper officer, stating in full the reason why it cannot be furnished, and if satisfactory to the inspectors of said election, such elector shall be allowed to vote.

9. VI.

The Legislature shall enact such laws as will preserve the purity of the ballot given under this Constitution.

KANSAS.

4. V.

The Legislature shall pass such laws as may be necessary for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage hereby established.

KENTUCKY.

147.

The General Assembly shall provide by law for the registration of all persons entitled to vote in cities and towns having a population of five thousand or more; and may provide by general law for the registration of other voters in the State. Where registration is required, only persons registered shall have the right to vote. The mode of registration shall be prescribed by the General Assembly. In all elections by persons in a representative capacity, the voting shall be viva voce and made a matter of record; but all elections by the people shall be by secret official ballot, furnished by public authority to the voters

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at the polls, and marked by each voter in private at the polls, and then and there deposited. The word "Elections" in this section includes the decision of questions submitted to the voters, as well as the choice of officers by them. The first General Assembly held after the adoption of this Constitution shall pass all necessary laws to enforce this provision, and shall provide that persons illiterate, blind, or in any way disabled, may have their ballots marked as herein required.

153.

Except as otherwise herein expressly provided, the General Assembly shall have power to provide by general law for the manner of voting, for ascertaining the result of elections and making due returns thereof, for issuing certificates or commissions to all persons entitled thereto, and for the trial of contested elections.

MARYLAND.

4. I.

It shall be the duty of the General Assembly to pass laws to punish, with fine and imprisonment, any person who shall remove into any election district or precinct of any ward of the city of Baltimore, not for the purpose of acquiring a bona fide residence therein, but for the purpose of voting at an approaching election, or who shall vote in any election district or ward in which he does not reside (except in the case provided for in this article), or shall, at the same election, vote in more than one election district, or precinct, or shall vote, or offer to vote, in any name not his own, or in place of any other

Sec. Art.

person of the same name, shall vote in any county in which he does not reside.

5. I.

The General Assembly shall provide by law for a uniform registration of the names of all the voters in this State who possess the qualifications prescribed in this article, which registration shall be conclusive evidence to the judges of election of the right of every person thus registered to vote at any election thereafter held in this State; but no person shall vote at any election, federal or State, hereafter to be held in this State, or in any municipal election in the city of Baltimore, unless his name appears in the list of registered voters; and until the General Assembly shall hereafter pass an act for the registration of the names of voters, the law in force on the first day of June, in the year eighteen hundred and sixty-seven, in reference thereto, shall be continued in force, except so far as it may be inconsistent with the provisions of this Constitution; and the registry of voters, made in pursuance thereof, may be corrected, as provided in said law; but the names of all persons shall be added to the list of qualified voters by the officers of registration, who have the qualifications prescribed in the first section of this article, and who are not disqualified under the provisions of the second and third sections thereof.

42. XIII.

The General Assembly shall pass laws necessary for the preservation of the purity of elections.

MICHIGAN.

6. II.

Laws may be passed to preserve

Laws to be Passed.

Sec. Art.

the purity of elections, and guard against the abuses of the elective franchise.

MISSISSIPPI.**247. XII.**

The Legislature shall enact laws to secure fairness in party primary elections, conventions or other methods of naming party candidates.

248. XII.

Suitable remedies by appeal or otherwise shall be provided by law to correct illegal or improper registration and to secure the elective franchise to those who may be illegally or improperly denied the same.

249. XII.

No one shall be allowed to vote for members of the Legislature or other officers who has not been duly registered under the Constitution and laws of this State, by an officer of this State, legally authorized to register the voters thereof. And registration under the Constitution and laws of this State by the proper officers of this State is hereby declared to be an essential and necessary qualification to vote at any and all elections.

251. XII.

Electors shall not be registered within four months next before any election at which they may offer to vote; but appeals may be heard and determined and revision take place at any time prior to the election; and no person who, in respect to age and residence, would become entitled to vote, within the said four months, shall be excluded from registration on account of his want of qualification at the time of registration.

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MISSOURI.**5. V.**

The General Assembly shall provide, by law, for the registration of all voters in cities and counties having a population of more than one hundred thousand inhabitants, and may provide for such registration in cities having a population exceeding twenty-five thousand inhabitants and not exceeding one hundred thousand, but not otherwise.

MONTANA.**9. IX.**

The Legislative Assembly shall have the power to pass a registration and such other laws as may be necessary to secure the purity of elections and guard against abuses of the elective franchise.

NEBRASKA.**3. VII.**

Every elector in the actual military service of the United States or of this State, and not in the regular army, may exercise the right of suffrage at such place, and under such regulations as may be provided by law.

NEVADA.**6. II.**

Provision shall be made by law for the registration of the names of the electors within the counties of which they may be residents, and for the ascertainment, by proper proofs, of the persons who shall be entitled to the right of suffrage, as hereby established, to preserve the purity of elections and to regulate the manner of holding and making returns of the same; and the Legislature shall have power to prescribe by law any other or further rules or oaths as may be deemed necessary, as a test of electoral qualifications.

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27. IV.

Laws shall not be made to exclude from serving on juries all persons not qualified electors of this State, and all persons who shall have been convicted of bribery, perjury, forgery, larceny, or other high crimes, unless restored to civil rights; and laws shall be passed regulating elections, and prohibiting under adequate penalties, all undue influence thereon from power, bribery, tumult or other improper practice.

NORTH CAROLINA.

2. VI.

It shall be the duty of the General Assembly to provide, from time to time, for the registration of all electors; and no person shall be allowed to vote without registration, or to register, without first taking an oath or affirmation to support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith.

OREGON.

8. II.

The Legislative Assembly shall enact laws to support the privilege of free suffrage, prescribing the manner of regulating and conducting election, and prohibiting, under adequate penalties, all undue influence therein, from power, bribery, tumult and other improper conduct.

PENNSYLVANIA.

7. VIII.

All laws regulating the holding of elections by the citizens, or for the registration of electors, shall be uniform throughout the State, but no elector shall be deprived of the privilege of voting by reason of his name not being registered.

Sec. Art.

RHODE ISLAND.

6. II.

The General Assembly shall have full power to provide for a registry of voters, to prescribe the manner of conducting the elections, the form of certificates, the nature of the evidence to be required in case of a dispute as to the right of any person to vote, and generally to enact all laws necessary to carry this article into effect, and to prevent abuse, corruption and fraud in voting.

SOUTH CAROLINA.

3. VIII.

It shall be the duty of the General Assembly to provide from time to time for the registration of all electors.

33. I.

The right of suffrage shall be protected by laws regulating elections, and prohibiting, under adequate penalties, all undue influences from power, bribery, tumult or improper conduct.

WASHINGTON.

2. VI.

The Legislature, at its first session after the ratification of this Constitution, shall provide by law for the registration of all the legally qualified voters in each county, and for the returns of elections; and shall also provide that after the completion, from time to time, of such registration, no person not duly registered according to law, shall be allowed to vote.

7. VI.

The Legislature shall enact a registration law and shall require a compliance with such law before any elector shall be allowed to vote: Provided, That this provision is not compulsory

Laws to be Passed.

Sec. Art.

upon the Legislature, except as to cities and towns having a population of over five hundred inhabitants. In all other cases, the Legislature may or may not require registration as a prerequisite to the right to vote, and the same system of registration need not be adopted for both classes.

WEST VIRGINIA.**43. VI.**

The Legislature shall never authorize or establish any board or court of registration of voters.

WYOMING.**12. VI.**

No person qualified to be an elector of the State of Wyoming shall be allowed to vote at any gen-

Sec. Art.

eral or special election hereafter to be holden in the State, until he or she shall have registered as a voter according to law, unless the failure to register is caused by sickness or absence, for which provision shall be made by law. The Legislature of the State shall enact such laws as will carry into effect the provisions of this section, which enactment shall be subject to amendment, but shall never be repealed; but this section shall not apply to the first election held under this Constitution.

13. VI.

The Legislature shall pass laws to secure the purity of elections, and guard against abuses of the elective franchise.

Election to be by Ballot.

ELECTION TO BE BY BALLOT.

- 1 Sec. 5. All elections by the citizens, except for such town
 2 officers as may by law be directed to be otherwise chosen, shall
 3 be by ballot, or by such other method as may be prescribed
 4 by law, provided that secrecy in voting be preserved.

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ALABAMA.

44. 4.

In all elections by the General Assembly, the members shall vote viva voce, and the votes shall be entered on the journals.

2. VIII.

All elections by the people shall be by ballot, and all elections by persons in a representative capacity shall be viva voce.

ARKANSAS.

8. III.

All elections by the people shall be by ballot. Every ballot shall be numbered in the order in which it shall be received, and the number recorded by the election officers on the list of voters opposite the name of the elector who presents the ballot. The election officers shall be sworn or affirmed not to disclose how any elector shall have voted, unless required to do so as witnesses in a judicial proceeding, or a proceeding to contest an election.

11. III.

If the officers of any election shall unlawfully refuse or fail to receive, count or return the vote or ballot of any qualified elector, such vote or ballot shall nevertheless be counted upon the trial of any contest arising out of said election.

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12. 3.

All elections by persons acting in a representative capacity shall be viva voce.

14. V.

Whenever an officer, civil or military, shall be appointed by the joint or concurrent vote of both houses, or by the separate vote of either house of the General Assembly, the vote shall be taken viva voce and entered on the journals.

CALIFORNIA.

5. II.

All elections by the people shall be by ballot.

28. IV.

In all elections by the Legislature the members thereof shall vote viva voce, and the vote shall be entered on the journal.

COLORADO.

8. VII.

All elections by the people shall be by ballot; every ballot shall be numbered in the order in which it shall be received, and the number be recorded by the election officers on the list of voters opposite the name of the voter who presents the ballot. The election officers shall be sworn or affirmed not to inquire or disclose how any elector may have voted. In all cases of con-

Election to be by Ballot.

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tested elections the ballots cast may be counted, compared with the list of voters, and examined under such safeguards and regulations as may be prescribed by law.

12. VII.

The General Assembly shall, by general law, designate the courts and judges by whom the several classes of election contests, not herein provided for, shall be tried, and regulate the manner of trial, and all matters incident thereto; but no such law shall apply to any contest arising out of an election held before its passage.

CONNECTICUT.

7. VI.

In all elections of officers of the State, or members of the General Assembly, the votes of the electors shall be by ballot.

FLORIDA.

6. VI.

In all elections by the Legislature the vote shall be viva voce, and in all elections by the people the vote shall be by ballot.

GEORGIA.

1. II.

In all elections by the people the electors shall vote by ballot.

1. III.

All elections by the General Assembly shall be viva voce, and the vote shall appear on the journal of the House of Representatives. When the Senate and House of Representatives unite for the purpose of elections, they shall meet in the Representative Hall, and the President of the Senate shall, in such cases, preside and declare the result.

6. V.

Contested elections shall be de-

Sec. Art

termined by both houses of the General Assembly in such manner as shall be prescribed by law.

IDAHO.

1. VI.

All elections by the people must be by ballot. An absolutely secret ballot is hereby guaranteed, and it shall be the duty of the Legislature to enact such laws as shall carry this section into effect.

ILLINOIS.

2. VII.

All votes shall be by ballot.

INDIANA.

13. II.

All elections by the people shall be by ballot; and all elections by the General Assembly, or by either branch thereof, shall be viva voce.

IOWA.

2. VII.

All elections by the people shall be by ballot.

(Amendment.) The general election for State, district, county and township officers shall be held on the Tuesday next after the first Monday in November.

(The foregoing amendment was adopted at the general election in 1884.)

38.

In all elections by the General Assembly, the members thereof shall vote viva voce and the votes shall be entered on the journal.

KANSAS.

1. IV.

All elections by the people shall be by ballot, and all elections by the Legislature shall be viva voce.

KENTUCKY.

262.

The convention, when assembled, shall be the judge of the elec-

Election to be by Ballot.

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tion and qualifications of its members, and shall determine contested elections. But the General Assembly shall, in the act calling the convention, provide for taking testimony in such cases, and for issuing a writ of election in case of a tie.

LOUISIANA.

184.

In all elections by the people the electors shall vote by ballot; and in all elections by persons in a representative capacity, the vote shall be viva voce.

194.

The General Assembly shall provide by law for the trial and determination of contested elections of all public officers, whether State, judicial, parochial or municipal.

MARYLAND.

1. I.

All elections shall be by ballot; and every (the word "white" expunged) male citizens of the United States, of the age of twenty-one years, or upwards, who has been a resident of the State for one year, and of the legislative district of Baltimore City, or of the county, in which he may offer to vote, for six months next preceding the election, shall be entitled to vote, in the ward or election district, in which he resides, at all elections hereafter to be held in this State; and in case any county or city shall be so divided as to form portions of different electoral districts, for the election of Representatives in Congress, Senators, Delegates or other officers, then, to entitle a person to vote for such officer, he must have been a resident of that part of the county or city which shall form a part of the

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electoral district, in which he offers to vote, for six months next preceding the election; but a person, who shall have acquired a residence in such county or city, entitling him to vote at any such election, shall be entitled to vote in the election district from which he removed, until he shall have acquired a residence in the part of the county or city to which he has removed.

47. III.

The General Assembly shall make provisions for all cases of contested elections of any of the officers, not herein provided for.

MICHIGAN.

11. IV.

In all elections, by either house, or in joint convention, the votes shall be given viva voce. All votes on nominations to the Senate shall be taken by yeas and nays, and published with the journal of its proceedings.

2. VII.

All votes shall be given by ballot, except for such township officers as may be authorized by law to be otherwise chosen.

MINNESOTA.

30. IV.

In all elections to be made by the Legislature, the members thereof shall vote viva voce, and their votes shall be entered on the journal.

6. VII.

All elections shall be by ballot, except for such town officers as may be directed by law to be otherwise chosen.

MISSISSIPPI.

76. IV.

In all elections by the Legislature the members shall vote viva voce, and the votes shall be entered on the journals.

Election to be by Ballot.

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240. XII.

All elections by the people shall be by ballot.

MISSOURI.**25. V.**

Contested elections of Governor and Lieutenant-Governor shall be decided by joint vote of both houses of the General Assembly, in such manner as may be provided by law; and contested elections of Secretary of State, State Auditor, State Treasurer, Attorney-General and Superintendent of Public Schools shall be decided before such tribunal and in such manner as may be provided by law.

3. VIII.

All elections by the people shall be by ballot; every ballot voted shall be numbered in the order in which it shall be received, and the number recorded by the election officers on the list of voters, opposite the name of the voter who presents the ballot. The election officers shall be sworn or affirmed not to disclose how any voter shall have voted unless required to do so as witnesses in a judicial proceeding: Provided, that in all cases of contested elections the ballots cast may be counted, compared with the list of voters, and examined under such safeguards and regulations as may be prescribed by law.

6. VIII.

All elections by persons in a representative capacity, shall be viva voce.

9. VIII.

The trial and determination of contested elections of all public officers, whether State, judicial, municipal or local, except Governor and Lieutenant-Governor, shall be by the courts of law, or

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by one or more of the judges thereof. The General Assembly shall, by general law, designate the court or judge by whom the several classes of election contests shall be tried, and regulate the manner of trial and all matters incident thereto; but no such law, assigning jurisdiction or regulating its exercise, shall apply to any contest arising out of any election held before said law shall take effect.

MONTANA.**1. IX.**

All elections by the people shall be by ballot.

NEBRASKA.**6. VII.**

All votes shall be by ballot.

NEVADA.**5. II.**

All elections by the people shall be by ballot, and all elections by the Legislature, or either branch thereof shall be by viva voce.

NORTH CAROLINA.**9. II.**

In the election of all officers, whose appointment shall be conferred upon the General Assembly by the Constitution, the vote shall be viva voce.

2. VI.

All elections by the people shall be by ballot, and all elections by the General Assembly shall be viva voce.

NORTH DAKOTA.**129. V.**

All elections by the people shall be by secret ballot, subject to such regulations as shall be provided by law.

OHIO.**27. II.**

The election and appointment of all officers, and the filling of all

Election to be by Ballot.

Sec. Art.

vacancies not otherwise provided for by this Constitution, or the Constitution of the United States, shall be made in such manner as may be directed by law, but no appointing power shall be exercised by the General Assembly, except as prescribed in this Constitution, and in the election of United States Senators; and in these cases the vote shall be taken "viva voce."

54. II.

In all elections to be made by the Legislative Assembly, or either house thereof, the members shall vote viva voce, and their votes shall be entered in the journal.

2. V.

All elections shall be by ballot.

OREGON.

15. II.

In all elections by the Legislative Assembly, or by either branch thereof, votes shall be given openly, or viva voce, and not by ballot forever; and in all elections by the people, votes shall be given openly, or viva voce, until the Legislative Assembly shall otherwise direct.

PENNSYLVANIA.

4. VIII.

All elections by the citizens shall be by ballot. Every ballot voted shall be numbered in the order in which it shall be received, and the number recorded by the election officers on the list of voters, opposite the name of the elector who presents the ballot. Any elector may write his name upon his ticket or cause the same to be written thereon and attested by a citizen of the district. The election officers shall be sworn or affirmed not to disclose how any elector shall have voted unless required to do so

Sec. Art.

as witnesses in a judicial proceeding.

12. VIII.

All elections by persons in a representative capacity shall be viva voce.

17. VIII.

The trial and determination of contested elections of electors of President and Vice-President, members of the General Assembly, and of all public officers, whether State, judicial, municipal or local, shall be by the courts of law, or by one or more of the law judges thereof; the General Assembly shall, by general law, designate the courts and judges by whom the several classes of election contests shall be tried, and regulate the manner of trial and all matters incident thereto; but no such law assigning jurisdiction, or regulating its exercise, shall apply to any contest arising out of an election held before its passage.

RHODE ISLAND.

2. VIII.

The voting for Governor, Lieutenant-Governor, Secretary of State, Attorney-General, General Treasurer and Representative to Congress shall be by ballot; Senators and Representatives to the General Assembly, and town or city officers, shall be chosen by ballot, on demand of any seven persons entitled to vote for the same; and in all cases where an election is made by ballot or paper vote, the manner of balloting shall be the same as is now required in voting for general officers, until otherwise prescribed by law.

SOUTH CAROLINA.

24. II.

In all elections by the General Assembly, or either house thereof,

Election to be by Ballot.

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the members shall vote "viva voce," and their votes, thus given, shall be entered upon the journal of the house to which they respectively belong.

1. VIII.

In all elections by the people the electors shall vote by ballot.

SOUTH DAKOTA.

14.

In all elections to be made by the Legislature, the members thereof shall vote viva voce, and their votes shall be entered in the journal.

3. VII.

All votes shall be by ballot, but the Legislature may provide for numbering ballots for the purpose of preventing and detecting fraud.

TENNESSEE.

4. IV.

In all elections to be made by the General Assembly, the members thereof shall vote viva voce, and their votes shall be entered on the journal. All other elections shall be by ballot.

TEXAS.

4. III.

In all elections by the people the vote shall be by ballot, and the Legislature shall provide for the numbering of tickets and make such other regulations as may be necessary to detect and punish fraud and preserve the purity of the ballot-box; and the Legislature may provide by law for the registration of all voters in all cities containing a population of ten thousand inhabitants or more.

41. III.

In all elections by the Senate and House of Representatives, jointly and separately, the vote shall

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be given viva voce, except in the election of their officers.

VIRGINIA.

2.

All elections shall be by ballot, and all persons entitled to vote shall be eligible to any office within the gift of the people, except as restricted in this Constitution.

WASHINGTON.

6. VI.

All elections shall be by ballot. The Legislature shall provide for such method of voting as will secure to every elector absolute secrecy in preparing and depositing his ballot.

12. XVII.

In case of a contest of election between candidates, at the first general election under this Constitution, for judges of the Superior Courts, the evidence shall be taken in the manner prescribed by the territorial laws, and the testimony so taken shall be certified to the Secretary of State, and said officer, together with the Governor and Treasurer of State, shall review the evidence and determine who is entitled to the certificate of election.

WEST VIRGINIA.

2. IV.

In all elections by the people, the mode of voting shall be by ballot; but the voter shall be left free to vote by either open, sealed or secret ballot, as he may elect.

WISCONSIN.

3. III.

All votes shall be given by ballot, except for such township officers as may by law be directed or allowed to be otherwise chosen.

Election to be by Ballot.

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WYOMING.**11. VI.**

All elections shall be by ballot. The Legislature shall provide by law that the names of all candidates for the same office to be voted for at any election shall be printed on the same ballot, at public expense, and on election day to be delivered to the voters within the polling place by sworn public officials, and only such ballots so delivered shall be received and counted. But no voter shall be deprived of the privilege of writing upon the ballot used the name of any

Sec. Art.

other candidate. All voters shall be guaranteed absolute privacy in the preparation of their ballots, and the secrecy of the ballot shall be made compulsory.

14. VI.

The Legislature shall, by general law, designate the courts by which the several classes of election contests not otherwise provided for, shall be tried, and regulate the manner of trial, and all matters incident thereto; but no such law shall apply to any contest arising out of an election held before its passage.

LAWS REGULATING REGISTRY OF VOIERS.

1 Sec. 6. All laws creating, regulating or affecting boards
2 or officers charged with the duty of registering voters, or of
3 distributing ballots at the polls to voters, or of receiving,
4 recording or counting votes at elections, shall secure equal
5 representation of the two political parties which, at the general
6 election next preceding that for which such boards or officers
7 are to serve, cast the highest and the next highest number
8 of votes. All such boards and officers shall be appointed or
9 elected in such manner, and upon the nomination of such
10 representatives of said parties respectively, as the Legislature
11 may direct. Existing laws on this subject shall continue
12 until the Legislature shall otherwise provide. This section
13 shall not apply to town meetings, or to village elections.

General Provisions.

GENERAL PROVISIONS.

Sec. Art.

ALABAMA.**4. III.**

Electors shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, or while going to and returning therefrom.

5. XII.

The militia and volunteer forces shall, in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at musters, parades and elections, and in going to and returning from the same.

ARKANSAS.**2. III.**

Elections shall be free and equal. No power, civil or military, shall ever interfere to prevent the free exercise of the right of suffrage; nor shall any law be enacted whereby the right to vote at any election shall be made to depend upon any previous registration of the elector's name; or whereby such right shall be impaired or forfeited, except for the commission of a felony at common law, upon lawful conviction thereof.

4. III.

Electors shall, in all cases (except treason, felony and breach of the peace), be privileged from arrest during their attendance at elections and going to and from the same.

9. III.

In trials of contested elections and in proceedings for the investigation of elections no person shall be permitted to withhold his testimony on the ground that it may

Sec. Art.

criminate himself or subject him to public infamy; but such testimony shall not be used against him in any judicial proceeding except for perjury in giving such testimony.

CALIFORNIA.**2. II.**

Electors shall in all cases, except treason, felony or breach of the peace, be privileged from arrest on the days of election, during their attendance at such election, going to and returning therefrom.

3. II.

No elector shall be obliged to perform militia duty on the day of election, except in time of war or public danger.

COLORADO.**5. II.**

That all elections shall be free and open; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

5. VII.

Voters shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, in going to and returning therefrom.

9. VII.

In trials of contested elections, and for offenses arising under the election law, no person shall be permitted to withhold his testimony on the ground that it may criminate himself or subject him to public infamy; but such testimony shall not be used against him in any judicial pro-

General Provisions.

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ceedings except for perjury in giving such testimony.

8. VI. CONNECTICUT.

At all elections of officers of the State, or members of the General Assembly, the electors shall be privileged from arrest during their attendance upon, and going to, and returning from the same, on any civil process.

2. IV. DELAWARE.

Electors shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from them.

3. GEORGIA.

Par. I. Electors shall, in all cases except for treason, felony, larceny and breach of the peace, be privileged from arrest during their attendance on elections, and in going to and returning from the same.

19. I. IDAHO.

No power, civil or military, shall at any time interfere with or prevent the free and lawful exercise of the right of suffrage.

18. II. ILLINOIS.

All elections shall be free and equal.

3. III.

Electors shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from the same. And no electors shall be required to do military duty on the days of election, except in time of war or public danger.

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4. XII.

The militia shall, in all cases except treason, felony or breach of the peace, be privileged from arrest during their attendance at musters and elections and in going to and returning from the same.

INDIANA.

1. II.

All elections shall be free and equal.

12. II.

In all cases, except treason, felony and breach of the peace, electors shall be free from arrest in going to elections, during their attendance there, and in returning from the same.

IOWA.

2. II.

Electors shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest on the days of election, during their attendance at such elections, going to and returning therefrom.

KANSAS.

7. V.

Electors, during their attendance at elections, and in going to and returning therefrom, shall be privileged from arrest in all cases, except treason, felony, or breach of the peace.

KENTUCKY.

149.

Voters, in all cases except treason, felony, breach or surety of the peace, or violation of the election laws, shall be privileged from arrest during their attendance at elections, and while they are going to and returning therefrom.

LOUISIANA.

189.

Electors shall, in all cases except treason, felony or breach of the

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peace, be privileged from arrest during their attendance at elections and in going to and returning from the same.

190.

The General Assembly shall, by law, forbid the giving or selling of intoxicating drinks, on the day of election, within one mile of precincts, at any election held within this State.

MAINE.

3. II.

No elector shall be obliged to do duty in the militia on any day of election, except in time of war or public danger.

16. IX.

The Legislature may by law authorize the dividing of towns having not less than four thousand inhabitants, or having voters residing on any island within the limits thereof, into voting districts for the election of representatives to the Legislature, and prescribe the manner in which the votes shall be received, counted, and the result of the election declared.

MARYLAND.

7.

That the right of the people to participate in the Legislature is the best security of liberty and the foundation of all free government; for this purpose elections ought to be free and frequent; and every (the word "white" omitted under the fifteenth amendment to the Constitution of the United States) male citizen, having the qualifications prescribed by the Constitution, ought to have the right of suffrage.

49. III.

The General Assembly shall have power to regulate by law, not in-

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consistent with this Constitution, all matters which relate to judges of election, time, place and manner of holding elections in this State, and of making returns thereof.

MASSACHUSETTS.

9.

All elections ought to be free; and all the inhabitants of this Commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments.

MICHIGAN.

3. VII.

Every elector, in all cases except treason, felony or breach of the peace, shall be privileged from arrest during his attendance at election, and in going to and returning from the same.

4. VII.

No elector shall be obliged to do military duty on the day of election, except in time of war or public danger; or attend court as a suitor or witness.

MISSOURI.

9. II.

That all elections shall be free and open; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

4. VIII.

Voters shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning therefrom.

5. XIII.

The volunteer and militia forces shall, in all cases, except treason, felony and breach of the peace, be privileged from arrest

General Provisions.

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during their attendance at musters, parades and elections, and in going to and returning from the same.

MONTANA.

5. III.

All elections shall be free and open; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

4. IX.

Electors shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning therefrom.

5. IX.

No elector shall be obliged to perform military duty on the days of election, except in time of war or public danger.

NEBRASKA.

22. I.

All elections shall be free; and there shall be no hindrance or impediment to the right of a qualified voter to exercise the elective franchise.

5. VII.

Electors shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and going to and returning from the same, and no elector shall be obliged to do military duty on the day of election, except in time of war and public danger.

NEVADA.

4. II.

During the day on which any general election shall be held in this State, no qualified elector shall be arrested by virtue of any civil process.

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NEW HAMPSHIRE.

11. I.

All elections ought to be free; and every inhabitant of the State, having the proper qualifications, has equal right to elect and be elected into office.

NORTH CAROLINA.

28. I.

For redress of grievances, and for amending and strengthening the laws, elections should be often held.

NORTH DAKOTA.

123. V.

Electors shall in all cases, except treason, felony, breach of the peace, or illegal voting, be privileged from arrest on the days of election during their attendance at, going to and returning from such election, and no elector shall be obliged to perform military duty on the day of election, except in time of war or public danger.

OREGON.

13. II.

In all cases, except treason, felony, and breach of the peace, electors shall be free from arrest in going to elections, during their attendance there, and in returning from the same; and no elector shall be obliged to do duty in the militia on any day of election, except in time of war or public danger.

PENNSYLVANIA.

5. I.

Elections shall be free and equal; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

30. IV.

In all elections to be made by the Legislature, the members thereof shall vote viva voce, and their votes shall be entered on the journal.

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5. VIII.

Electors shall, in all cases, except treason, felony and breach of surety of the peace, be privileged from arrest during their attendance on elections, and in going and returning therefrom.

10. VIII.

In trials of contested elections, and in proceedings for the investigation of elections, no person shall be permitted to withhold his testimony upon the ground that it may criminate himself or subject him to public infamy; but such testimony shall not afterwards be used against him in any judicial proceeding except for perjury in giving such testimony.

SOUTH CAROLINA.

6. VIII.

Electors shall in all cases, except treason, felony or breach of the peace, be privileged from arrest and civil process during their attendance at elections, and in going to and returning from the same.

SOUTH DAKOTA.

5. VII.

Electors shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest during their attendance at elections and in going to and returning from the same. And no elector shall be obliged to do military duty on the days of election, except in time of war or public danger.

3. XI.

The volunteer and military forces shall in all cases (except treason, felony and breach of the peace) be privileged from arrest during their attendance at muster and the election of officers, and in going to and returning from the same.

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5. XV.

The militia shall in (all) cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at muster and elections, and in going to and returning from the same.

TENNESSEE.

3. IV.

Electors shall, in all cases except treason, felony or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning therefrom.

TEXAS.

5. VI.

Voters shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning therefrom.

VIRGINIA.

8. I.

That all elections ought to be free, and that all men having sufficient evidence of paramount common interest with, and attachment to, the community, have the right of suffrage, and cannot be taxed or deprived of their property for public uses without their own consent or that of their representatives so elected, or bound by any law to which they have not in like manner assented for the public good.

4. III.

No voter, during the time of holding any election at which he is entitled to vote, shall be compelled to perform military service, except in time of war or public danger, to work upon public roads or to attend any court as suitor, juror or witness; and no voter shall be subject to

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arrest under any civil process during his attendance at elections, or in going to or returning from them.

22. V.

The manner of conducting and making returns of elections, of determining contested elections, and of filling vacancies in office, in cases not specially provided for by this Constitution, shall be prescribed by law, and the General Assembly may declare the cases in which any office shall be deemed vacant where no provision is made for that purpose in this Constitution.

WASHINGTON.

19. I.

All elections shall be free and equal; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

5. VI.

Voters shall, in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning therefrom. No elector shall be required to do military duty on the day of any election, except in time of war or public danger.

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WEST VIRGINIA.

3. IV.

No voter, during the continuance of an election at which he is entitled to vote, or during the time necessary and convenient for going to and returning from the same, shall be subject to arrest upon civil process, or be compelled to attend any court, or judicial proceeding, as suitor, juror or witness; or to work upon the public roads; or, except in time of war or public danger, to render military service.

WYOMING.

27. I.

Elections shall be open, free and equal, and no power, civil or military, shall at any time interfere to prevent an untrammelled exercise of the right of suffrage.

3. VI.

Electors shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest on the days of election during their attendance at elections, and going to and returning therefrom.

4. VI.

No elector shall be obliged to perform militia duty on the day of election, except in time of war or public danger.

Legislative Powers.

LEGISLATIVE POWERS.

ARTICLE III.

- 1 Section I. The legislative power of this State shall be vested
2 in the Senate and Assembly.

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ALABAMA.

1. III.

The powers of the government of the State of Alabama shall be divided into three distinct departments, each of which shall be confided to a separate body of magistracy, to wit: Those which are legislative to one; those which are executive to another; and those which are judicial, to another.

2. III.

No person, or collection of persons, being of one of those departments, shall exercise any power properly belonging to either of the others, except in the instances hereinafter expressly directed or permitted.

1. IV.

The Legislative power of this State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

ARKANSAS.

1. IV.

The powers of the government of the State of Arkansas shall be divided into three distinct departments, each of them to be confided to a separate body of magistracy, to wit: Those which are legislative to one, those which are executive to another, and those which are judicial to another.

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1. V.

The legislative power of this State shall be vested in a General Assembly, which shall consist of the Senate and House of Representatives.

CALIFORNIA.

1. III.

The powers of the government of the State of California shall be divided into three separate departments—the legislative, executive and judicial; and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any functions appertaining to either of the others, except as in this Constitution expressly directed or permitted.

1. IV.

The legislative power of this State shall be vested in a Senate and Assembly, which shall be designated the Legislature of the State of California, and the enacting clause of every law shall be as follows: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

COLORADO.

3.

The powers of the government of this State are divided into three distinct departments—the legislative, executive and judicial—

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and no person, or collection of persons, charged with the exercise of powers properly belonging to one of these departments shall exercise any power properly belonging to either of the others, except as in this Constitution expressly directed or permitted.

1. V.

The legislative power shall be vested in the General Assembly, which shall consist of a Senate and House of Representatives, both to be elected by the people.

CONNECTICUT.

2.

The powers of government shall be divided into three distinct departments, and each of them confided to a separate magistracy, to wit: Those which are legislative to one; those which are executive to another; and those which are judicial to another.

1. III.

The legislative power of this State shall be vested in two distinct houses or branches; the one to be styled The Senate, and the other The House of Representatives, and both together The General Assembly. The style of their laws shall be, Be it enacted by the Senate and House of Representatives in General Assembly convened.

DELAWARE.

1. II.

The legislative power of this State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

FLORIDA.

2.

The powers of the government of the State of Florida shall be divided into three departments—

Sec. Art.

legislative, executive and judicial; and no person properly belonging to one of the departments shall exercise any powers appertaining to either of the others, except in cases expressly provided for by this Constitution.

GEORGIA.

1. XI.

Par. XXIII. The legislative, judicial and executive powers shall forever remain separate and distinct, and no person discharging the duties of one shall at the same time exercise the functions of either of the others, except as herein provided.

1. III.

Par. I. The legislative power of the state shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

IDAHO.

1. III.

The legislative power of the State shall be vested in a Senate and House of Representatives. The enacting clause of every bill shall be as follows: "Be it enacted by the Legislature of the State of Idaho."

ILLINOIS.

3.

The powers of the government of this State are divided into three distinct departments—judicial; and no person, or collection of persons, being one of the legislative, executive and these departments, shall exercise any power properly belonging to either of the others, except as hereinafter expressly directed or permitted.

1. IV.

The legislative power shall be vested in the General Assembly, which shall consist of a Senate

Legislative Powers.

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and House of Representatives,
both to be elected by the people.

INDIANA.

1. III.

The powers of the government are divided into three separate departments: The legislative, the executive (including the administrative), and the judicial; and no person charged with official duties under one of these departments shall exercise any of the functions of another except as in this Constitution expressly provided.

1. IV.

The legislative authority of the State shall be vested in the General Assembly, which shall consist of a Senate and House of Representatives. The style of every law shall be: "Be it enacted by the General Assembly of the State of Indiana;" and no law shall be enacted except by bill.

IOWA.

1. III.

The powers of government of Iowa shall be divided into three separate departments—the legislative, the executive and the judicial; and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any function appertaining to either of the others, except in cases hereinafter expressly directed or permitted.

1. III.

The legislative authority of this State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives; and the style of every law shall be: "Be it enacted by the General Assembly of the State of Iowa."

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KANSAS.

1. II.

The legislative power of this State shall be vested in a House of Representatives and Senate.

KENTUCKY.

27.

The powers of the government of the Commonwealth of Kentucky shall be divided into three distinct departments, and each of them to be confined to a separate body of magistracy, to wit: Those which are legislative, to one; those which are executive, to another; and those which are judicial to another.

28.

No person, or collection of persons, being of one of those departments, shall exercise any power properly belonging to either of the others, except in the instances hereinafter expressly directed or permitted.

29.

The legislative power shall be vested in a House of Representatives and a Senate, which, together, shall be styled the "General Assembly of the Commonwealth of Kentucky."

LOUISIANA.

14.

The powers of the government of the State of Louisiana shall be divided into three distinct departments, and each of them to be confided to a separate body of magistracy, to wit: Those which are legislative to one, those which are executive to another, and those which are judicial to another.

19.

The legislative power of this State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

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MAINE.

1. III.

The powers of this government shall be divided into three distinct departments, the legislative, executive and judicial.

2. III.

No person or persons, belonging to one of these departments, shall exercise any of the powers properly belonging to either of the others, except in the cases herein expressly directed or permitted.

1. IV.

The legislative power shall be vested in two distinct branches, a House of Representatives and a Senate, each to have a negative on the other, and both to be styled the Legislature of Maine, and the style of their acts and laws shall be "Be it enacted by the Senate and House of Representatives, in Legislature assembled."

MARYLAND.

1. I.

The legislature shall consist of two distinct branches, a Senate and a House of Delegates, and shall be styled the General Assembly of Maryland.

8. I.

The legislative, executive and judicial powers of government ought to be forever separate and distinct from each other; and no person exercising the functions of one of said departments shall assume or discharge the duties of any other.

MASSACHUSETTS.

1. I.

The department of legislation shall be formed by two branches, a Senate and House of Representatives; each of which shall have a negative on the other.

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I.

The legislative body shall assemble every year (on the last Wednesday in May, at such other times as they shall judge necessary; and shall dissolve and be dissolved on the day next preceding the said last Wednesday in May); and shall be styled "The General Court of Massachusetts."

30. I.

In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them; the judicial shall never exercise the legislative and executive powers, or either of them; to the end it may be a government of laws and not of men.

MICHIGAN.

1. III.

The powers of government are divided into three departments, the legislative, executive and judicial.

2. III.

No person belonging to one department shall exercise the powers properly belonging to another, except in the cases expressly provided in this Constitution.

1. IV.

The legislative power is vested in a Senate and House of Representatives.

MISSISSIPPI.

1. I.

The powers of the government of the State of Mississippi shall be divided into three distinct departments, and each of them confided to a separate magistracy, to wit: Those which are legislative to one; those which are judicial to another; and those which are executive to another.

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2. I.

No person or collection of persons, being one, or belonging to one, of these departments, shall exercise any power properly belonging to either of the others. The acceptance of an office in either of said departments shall, of itself, and at once, vacate any and all offices held by the person so accepting in either of the other departments.

33. IV.

The legislative power of this State shall be vested in the Legislature, which shall consist of a Senate and a House of Representatives.

MISSOURI.

1. II.

The powers of government of the State are divided into three distinct departments—the legislative, executive and judicial; and no person or collection of persons, being one of these departments, shall exercise any power properly belonging to either of the others, except as hereinafter expressly directed or permitted.

III.

The powers of government shall be divided into three distinct departments—the legislative, executive and judicial—each of which shall be confided to a separate magistracy, and no person, or collection of persons, charged with the exercise of powers properly belonging to one of those departments, shall exercise any power properly belonging to either of the others, except in the instances in this Constitution expressly directed or permitted.

1. IV.

The legislative power, subject to the limitations herein contained, shall be vested in a Senate and

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House of Representatives, to be styled "The General Assembly of the State of Missouri."

MONTANA.

1. IV.

The powers of the government of this State are divided into three distinct departments: The legislative, executive and judicial, and no person or collection of persons charged with the exercise of powers properly belonging to one of these departments shall exercise any powers properly belonging to either of the others, except as in this Constitution expressly directed or permitted.

1. V.

The legislative power shall be vested in a Senate and House of Representatives, which shall be designated "The Legislative Assembly of the State of Montana."

NEBRASKA.

1. III.

The legislative authority is vested in a Senate and House of Representatives.

NEVADA.

1. III.

The powers of the government of the State of Nevada shall be divided into three separate departments—the legislative, the executive and the judicial; and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any functions appertaining to either of the others, except in the cases herein expressly directed or permitted.

1. IV.

The legislative authority of this State shall be vested in a Senate and Assembly, which shall be designated "The Legislature of

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the State of Nevada," and the sessions of such Legislature shall be held at the seat of government of the State.

NEW JERSEY.

1. III.

The powers of the government shall be divided into three distinct departments—the legislative, executive and judicial; and no person or persons belonging to, or constituting one of these departments shall exercise any of the powers properly belonging to either of the others, except as herein expressly provided.

1. IV.

The legislative power shall be vested in the Senate and General Assembly.

NORTH CAROLINA.

8. I.

The legislative, executive and supreme judicial powers of the government ought to be forever separate and distinct from each other.

1. II.

The legislative authority shall be vested in two distinct branches, both dependent on the people, to wit: A Senate and House of Representatives.

NORTH DAKOTA.

25. II.

The legislative power shall be vested in a Senate and a House of Representatives.

52. II.

The Senate and House of Representatives jointly shall be designated as the Legislative Assembly of the State of North Dakota.

OHIO.

1. II.

The legislative power of this State shall be vested in a General Assembly, which shall consist of

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a Senate and House of Representatives.

OREGON.

1. III.

The powers of the government shall be divided into three separate departments—the legislative, the executive, including the administrative, and the judicial; and no person charged with official duties under one of these departments shall exercise any of the functions of another, except as in this Constitution expressly provided.

1. IV.

The legislative authority of the State shall be vested in the legislative assembly, which shall consist of a Senate and House of Representatives. The style of every bill shall be "Be it enacted by the legislative assembly of the State of Oregon," and no law shall be enacted except by bill.

PENNSYLVANIA.

1. II.

The legislative power of this Commonwealth shall be vested in a General Assembly, which shall consist of a Senate and a House of Representatives.

RHODE ISLAND.

IV.

The powers of the government shall be distributed into three departments, the legislative, executive and judicial.

2. IV.

The legislative power, under this Constitution, shall be vested in two houses, the one to be called the Senate, the other the House of Representatives; and both together the General Assembly. The concurrence of the two houses shall be necessary to the enactment of laws. The style of their laws shall be: "It is

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enacted by the General Assembly as follows:"

SOUTH CAROLINA.**26. I.**

In the government of this Commonwealth, the legislative, executive and judicial powers of the government shall be forever separate and distinct from each other, and no person or persons exercising the functions of one of said departments shall assume or discharge the duties of any other.

1. II.

The legislative power of this State shall be vested in two distinct branches, the one to be styled the "Senate," and the other the "House of Representatives," and both together the "General Assembly of the State of South Carolina."

SOUTH DAKOTA.**II.**

The powers of the government of the State are divided into three distinct departments—the legislative, executive and judicial; and the powers and duties of each are prescribed by this Constitution.

1. III.

The legislative power shall be vested in a Legislature, which shall consist of a Senate and House of Representatives.

TENNESSEE.**1. II.**

The powers of the government shall be divided into three distinct departments: The legislative, executive and judicial.

2. II.

The legislative authority of this State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives, both dependent

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on the people, who shall hold their offices for two years from the day of the general election.

TEXAS.**1. II.**

The powers of the government of the State of Texas shall be divided into three distinct departments, each of which shall be confined to a separate body of magistracy, to wit: Those which are legislative to one, those which are executive to another, and those which are judicial to another; and no person, or collection of persons, being of one of these departments, shall exercise any powers properly attached to either of the others, except in the instances herein expressly permitted.

1. III.

The legislative power of this State shall be vested in a Senate and House of Representatives, which together shall be styled "The Legislature of the State of Texas."

VERMONT.**2. II.**

The supreme legislative power shall be vested in a House of Representatives of the freemen of the Commonwealth or State of Vermont.

6. II.

The legislative, executive and judiciary departments shall be separate and distinct, so that neither exercise the powers properly belonging to the other.

III.

The supreme legislative power of this State shall hereafter be exercised by a Senate and the House of Representatives, which shall be styled "The General Assembly of the State of Vermont." Each shall have and exercise the like powers in all

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acts of legislation; and no bill, resolution or other thing, which shall have been passed by the one, shall have the effect of, or be declared to be, a law without the concurrence of the other: Provided, That all revenue bills shall originate in the House of Representatives, but the Senate may propose or concur with the amendments, as on other bills. Neither house during the session of the General Assembly, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that, in which the two houses shall be sitting, and in case of disagreement between the two houses, with respect to adjournment, the Governor may adjourn them to such time as he shall think proper.

VIRGINIA.

7. I.

That the legislative, executive and judicial powers should be separate and distinct; and that the members thereof may be restrained from oppression, by feeling and participating the burthens of the people, they should, at fixed periods, be reduced to a private station, return into that body from which they were originally taken, and the vacancies be supplied by frequent, certain and regular elections, in which all or any part of the former members to be again eligible or ineligible, as the laws shall direct.

II.

The legislative, executive and judiciary departments shall be separate and distinct, so that neither exercise the powers properly belonging to either of the others; nor shall any person exercise the power of more

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than one of them at the same time, except as hereinafter provided.

1. V.

The legislative power of this Commonwealth shall be vested in a General Assembly, which shall consist of a Senate and House of Delegates.

WASHINGTON.

1. II.

The legislative powers shall be vested in a Senate and House of Representatives, which shall be called "The Legislature of the State of Washington."

WEST VIRGINIA.

1. VI.

The legislative power shall be vested in a Senate and House of Delegates. The style of their acts shall be: "Be it enacted by the Legislature of West Virginia."

WISCONSIN.

1. IV.

The legislative power shall be vested in a Senate and Assembly.

WYOMING.

1. II.

The powers of the government of this State are divided into three distinct departments: The legislative, executive and judicial, and no person or collection of persons charged with the exercise of powers properly belonging to one of these departments, shall exercise any powers properly belonging to either of the others, except as in this Constitution expressly directed or permitted.

1. III.

The legislative power shall be vested in a Senate and House of Representatives, which shall be designated "The Legislature of the State of Wyoming."

SENATE AND ASSEMBLY, NUMBER OF MEMBERS.

1 Sec. 2. The Senate shall consist of fifty members, except as
 2 hereinafter provided. The Senators elected in the year one
 3 thousand eight hundred and ninety-five shall hold their offices
 4 for three years, and their successors shall be chosen for two
 5 years. The Assembly shall consist of one hundred and fifty
 6 members who shall be chosen for one year.

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ALABAMA.

7. IV.

The General Assembly shall consist of not more than thirty-three Senators, and not more than one hundred members of the House of Representatives, to be apportioned among the several districts and counties as prescribed in this Constitution.

8. IV.

At the general election in the year eighteen hundred and seventy-six, Senators shall be elected in the even numbered districts, to serve for two years, and in the odd numbered districts to serve for four years, so that hereafter one-half of the Senators may be chosen biennially. Members of the House of Representatives shall be elected at the general election every second year. The time of service of Senators and Representatives shall begin on the day after the election, except the terms of those elected in the year eighteen hundred and seventy-six, which shall not begin until the terms of the present members shall have expired. Whenever a vacancy shall occur

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In either house, the Governor for the time being shall issue a writ of election to fill such vacancy for the remainder of the term.

1. IX.

The whole number of Senators shall be not less than one-fourth or more than one-third of the whole number of Representatives.

2. IX.

The House of Representatives shall consist of not more than one hundred members, who shall be apportioned by the General Assembly among the several counties of the State, according to the number of inhabitants in them respectively, as ascertained by the decennial census of the United States for the year eighteen hundred and eighty; which apportionment, when made, shall be subject to alteration until the first session of the General Assembly after the next decennial census of the United States shall have been taken.

3. IX.

It shall be the duty of the General Assembly, at its first session after the taking of the decennial

Senate and Assembly, Number of Members.

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census of the United States in the year eighteen hundred and eighty, and after each subsequent decennial census, to fix by law the number of Representatives and apportion them among the several counties of the State: Provided, That each county shall be entitled to at least one Representative.

6. IX.

Until the General Assembly shall make an apportionment of Representatives among the several counties, after the first decennial census of the United States, as herein provided, the counties of Autauga, Baldwin, Bibb, Blount, Calhoun, Chilton, Cherokee, Choctaw, Clarke, Clay, Cleburne, Coffee, Colbert, Conecuh, Coosa, Covington, Crenshaw, Dale, DeKalb, Elmore, Etowah, Escambia, Fayette, Franklin, Geneva, Henry, Lauderdale, Marion, Morgan, Monroe, Marshall, Randolph, Sanford, Shelby, St. Clair, Walker, Washington and Winston shall each have one Representative; the counties of Barbour, Bullock, Butler, Chambers, Greene, Hale, Jackson, Jefferson, Limestone, Lawrence, Lowndes, Lee, Macon, Marengo, Perry, Pickens, Pike, Russell, Sumter, Talladega, Tallapoosa, Tuscaloosa and Wilcox shall have each two Representatives; the county of Madison shall have three Representatives; the counties of Dallas and Montgomery shall have each four Representatives.

ARKANSAS.

2. V.

The House of Representatives shall consist of members to be chosen every second year by the qualified electors of the several counties.

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8. V.

The Senate shall consist of members to be chosen every four years by the qualified electors of the several districts. At the first session of the Senate the Senators shall divide themselves into two classes by lot, and the first shall hold their places for two years only, after which all shall be elected for four years.

CALIFORNIA.

4. IV.

Senators shall be chosen for the term of four years, at the same time and places as members of the Assembly, and no person shall be a member of the Senate or Assembly who has not been a citizen and inhabitant of the State three years, and of the district for which he shall be chosen one year, next before his election.

5. IV.

The Senate shall consist of forty members, and the Assembly of eighty members, to be elected by districts, numbered as hereinafter provided. The seats of the twenty Senators elected in the year eighteen hundred and eighty-two from the odd-numbered districts shall be vacated at the expiration of the second year, so that one-half of the Senators shall be elected every two years: Provided, That all the Senators elected at the first election under this Constitution shall hold office for the term of three years.

COLORADO.

3. V.

Senators shall be elected for the term of four years, except as hereinafter provided, and Representatives for the term of two years.

5. V.

The Senators, at their first ses-

Senate and Assembly, Number of Members.

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sion, shall be divided into two classes. Those elected in districts designated by even numbers shall constitute one class; those elected in districts designated by odd numbers shall constitute the other class, except that Senators elected in each of the districts having more than one Senator shall be equally divided among the two classes. The Senators of one class shall hold for two years; those of the other class shall hold for four years—to be decided by lot between the two classes, so that one-half of the Senators, as near as practicable, may be biennially chosen forever thereafter.

15.

Senators and members of the House of Representatives shall be chosen by the qualified electors of the several senatorial and representative districts, as established in this Constitution, until such districts shall be changed by law, and thereafter by the qualified electors of the several districts as the same shall be established by law.

48. V.

The Senate shall consist of twenty-six, and the House of Representatives, forty-nine members, which number shall not be increased until the year of our Lord one thousand eight hundred and ninety, after which time the General Assembly may increase the number of Senators, and Representatives, preserving, as near as may be, the present proportion as to the number in each house: Provided, That the aggregate number of Senators and Representatives shall never exceed one hundred.

49. V.

Until an apportionment of Representatives be made, in accordance with the provisions of this

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article, they shall be divided among the several counties of the State in the following manner: The county of Arapahoe shall have seven; the counties of Boulder and Clear Creek, each four; the counties of Gilpin and Las Animas, each three; the counties of El Paso, Fremont, Huerfano, Jefferson, Pueblo and Weld, each two; the counties of Bent, Costilla, Conejos, Douglas, Elbert, Grand, Hinsdale, Larimer, La Plata, Lake, Park, Rio Grande, Summit, Saguache and San Juan, each one; and the counties of Costilla and Conejos, jointly, one.

CONNECTICUT.

1.

From and after the first Wednesday of May, in the year of our Lord one thousand eight hundred and thirty, the Senate of this State shall consist of not less than eighteen nor more than twenty-four members, and be chosen by districts.

4. IV.

The Senate shall consist of twelve members, to be chosen annually by the electors (altered by amendments of 1836, 1875 and 1884)).

DELAWARE.

2. II.

The Representatives shall be chosen for two years, by the citizens residing in the several counties.

3. II.

The Senators shall be chosen for four years by the citizens residing in the several counties.

No person shall be a Senator who shall not have attained to the age of twenty-seven years, and have in the county in which he shall be chosen, a freehold estate in two hundred acres of land, or an

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estate in real and personal property, or in either, of the value of one thousand pounds at least, and have been a citizen and inhabitant of the State three years next preceding the first meeting of the Legislature after his election, and the last year of that term an inhabitant of the county in which he shall be chosen, unless he shall have been absent on the public business of the United States or of said State.

There shall be three Senators chosen in each county. When a greater number of Senators shall by the General Assembly be judged necessary, two-thirds of each branch concurring, they may by law make provision for increasing their number; but the number of Senators shall never be greater than one-half, nor less than one-third of the number of Representatives.

If the office of Representative, or the office of Senator, become vacant before the regular expiration of the term thereof, a Representative or a Senator shall be elected to fill such vacancy, and shall hold the office for the residue of the term.

When there is a vacancy in either house of the General Assembly, and the General Assembly is not in session, the Governor shall have power to issue a writ, of election to fill such vacancy; which writ shall be executed as a writ issued by the speaker of either house in case of vacancy.

FLORIDA.

3. III.

The members of the House of Representatives shall be chosen biennially, those of the first Legislature on the first Tuesday after the first Monday in November,

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A. D. 1886, and thereafter on the corresponding day of every second year.

2. VII.

The Legislature that convenes in the year 1889, and thereafter shall consist of not more than thirty-two members of the Senate and of not more than sixty-eight members of the House of Representatives. The members of the House of Representatives shall be elected for terms of two years, and the members of the Senate shall be elected for terms of four years, except as hereafter provided, the elections for members of the Senate and House of Representatives to be held at the same time and places. The terms of Senators elected in 1889 from districts designated by even numbers shall expire at the end of two years from that date, and thereafter all Senators shall be elected for four years, so that one-half of the whole number shall be elected biennially.

GEORGIA.

4. III.

The members of the General Assembly shall be elected for two years, and shall serve until their successors are elected.

IDAHO.

2. III.

The Senate shall consist of eighteen members and the House of Representatives of thirty-six members. The Legislature may increase the number of Senators and Representatives: Provided, the number of Senators shall never exceed twenty-four, and the House of Representatives shall never exceed sixty members. The Senators and Representatives shall be chosen by the electors of the respective counties or districts into which

Senate and Assembly, Number of Members.

Sec. Art.

the State may from time to time be divided by law.

3. III.

The Senators and Representatives shall be elected for the term of two years, from and after the first day of December next following the general election.

ILLINOIS.

7, 8. V.

The House of Representatives shall consist of three times the number of the members of the Senate, and the term of office shall be two years. Three Representatives shall be elected in each Senatorial district at the general election in the year of our Lord one thousand eight hundred and seventy-two, and every two years thereafter. In all elections of Representatives aforesaid, each qualified voter may cast as many votes for one candidate as there are Representatives to be elected, or may distribute the same, or equal parts thereof, among the candidates, as he shall see fit; and the candidates highest in votes shall be declared elected.

INDIANA.

2. IV.

The Senate shall not exceed fifty, nor the House of Representatives one hundred members; and they shall be chosen by the electors of the respective counties or districts into which the State may, from time to time, be divided.

3. IV.

Senators shall be elected for the term of four years, and Representatives for the term of two years, from the day next after their general election: Provided, however, That the Senators elect, at the second meeting of the General Assembly under this

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Constitution, shall be divided, by lot, into two equal classes, as nearly as may be; and the seats of Senators of the first class shall be vacated at the expiration of two years, and those of the second class at the expiration of four years; so that one-half, as nearly as possible, shall be chosen biennially forever thereafter, and in case of increase in the number of Senators, they shall be so annexed by lot, to the one or the other of the two classes, as to keep them as nearly equal as practicable.

IOWA.

2. III.

Senators shall be chosen for the term of four years, at the same time and place as Representatives; they shall be twenty-five years of age, and possess the qualifications of Representatives as to residence and citizenship.

6. III.

The number of Senators shall not be less than one-third, nor more than one-half the Representative body; and shall be so classified by lot, that one class, being as nearly one-half as possible, shall be elected every two years. When the number of Senators is increased, they shall be annexed by lot to one or the other of the two classes, so as to keep them as nearly equal in numbers as practicable.

35. III.

The Senate shall not consist of more than fifty members, nor the House of Representatives of more than one hundred; and they shall be apportioned among the several counties and representative districts of the State, according to the number of (white) inhabitants in each, upon ratios to be fixed by law;

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but no representative district shall contain more than four organized counties, and each district shall be entitled to at least one representative. Every county and district which shall have a number of inhabitants equal to one-half of the ratio fixed by law, shall be entitled to one representative; and any one county containing in addition to the ratio fixed by law, one-half of that number, or more, shall be entitled to one additional representative. No floating district shall hereafter be formed.

(Amended by striking out the word "white" at the general election in 1868.)

KANSAS.**2. II.**

The number of Representatives and Senators shall be regulated by law, but shall never exceed one hundred and twenty-five Representatives and forty Senators. From and after the adoption of the amendment the House of Representatives shall admit one member for each county, in which at least two hundred and fifty legal votes were cast at the next preceding general election; and each organized county, in which less than two hundred legal votes were cast at the next preceding general election shall be attached to and constitute a part of the representative district of the county lying next adjacent to it on the east.

29. II.

At the general election held in eighteen hundred and seventy-six, and thereafter, members of the House of Representatives shall be elected for two years, and members of the Senate shall be elected for four years.

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KENTUCKY.**31.**

At the general election in the year one thousand eight hundred and ninety-three, one Senator shall be elected in each senatorial district, and one Representative in each representative district. The Senators then elected shall hold their offices one-half for two years and one-half for four years, as shall be determined by lot at the first session of the General Assembly after their election, and the Representatives shall hold their offices for two years. Every two years thereafter there shall be elected for four years one Senator in each senatorial district in which the term of his predecessor in office will then expire, and in every representative district one Representative for two years.

35.

The number of Representatives shall be one hundred, and the number of Senators thirty-eight.

LOUISIANA.**16.**

Representation in the House of Representatives shall be equal and uniform, and shall be regulated and ascertained by the total population. Each parish shall have at least one Representative. The first enumeration to be made by the State authorities under this Constitution shall be made in the year eighteen hundred and ninety, and subsequent enumerations shall be made every tenth year thereafter, in such manner as shall be prescribed by law, for the purpose of ascertaining the total population and the number of qualified electors in each parish and election district. At its first regular session after each en

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meration, the General Assembly shall apportion the representation among the several parishes and election districts on the basis of the total population as aforesaid. A representative number shall be fixed, and each parish and election district shall have as many Representatives as the aggregate number of its population will entitle it to, and an additional Representative for any fraction exceeding one-half the representative number. The number of Representatives shall not be more than ninety-eight nor less than seventy.

22.

Every elector under this Constitution shall be eligible to a seat in the House of Representatives, and every elector who has reached the age of twenty-five years shall be eligible to the Senate: Provided, That no person shall be eligible to the General Assembly unless at the time of his election he has been a citizen of the State for five years and an actual resident of the district or parish from which he may be elected for two years immediately preceding his election. The seat of any member who may change his residence from the district or parish which he represents shall thereby be vacated, any declaration of a retention of domicile to the contrary notwithstanding; and members of the General Assembly shall be elected for a term of four years.

MAINE.

1. IV.

The Senate shall consist of not less than twenty nor more than thirty-one members, elected at the same time, and for the same term, as the Representatives, by

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the qualified electors of the districts into which the State shall from time to time be divided.

2. IV.

The House of Representatives shall consist of one hundred and fifty-one members, to be elected by the qualified electors, for one year from the day next preceding the annual meeting of the Legislature. The Legislature, which shall first be convened under this Constitution, shall, on or before the fifteenth day of August, in the year of our Lord one thousand eight hundred and twenty-one, and the Legislature, within every subsequent period of at most ten years, and at least five, cause the number of the inhabitants of the State to be ascertained, exclusive of foreigners not naturalized and Indians not taxed. The number of Representatives shall, at the several periods of making such enumeration, be fixed and apportioned among the several counties as near as may be, according to the number of inhabitants, having regard to the relative increase of population. The number of Representatives shall, on said first apportionment, be not less than one hundred nor more than one hundred and fifty.

3. IV.

Each town having fifteen hundred inhabitants may elect one Representative; each town having three thousand seven hundred and fifty may elect two; each town having six thousand seven hundred and fifty may elect three; each town having ten thousand five hundred may elect four; each town having fifteen thousand may elect five; each town having twenty thousand two hundred and fifty may elect

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six; each town having twenty-six thousand two hundred and fifty may elect seven; but no town shall ever be entitled to more than seven Representatives; and towns and plantations duly organized, not having fifteen hundred inhabitants, shall be classed, as conveniently as may be, into districts containing that number, and so as not to divide towns; and each such district may elect one Representative; and, when on this apportionment the number of Representatives shall be two hundred, a different apportionment shall take place upon the above principle; and in case the fifteen hundred shall be too large or too small to apportion all the Representatives to any county, it shall be so increased or diminished as to give the number of Representatives according to the above rule and proportion; and whenever any town or towns, plantation or plantations, not entitled to elect a Representative, shall determine against a classification with any other town or plantation, the Legislature may, at each apportionment of Representatives, on the application of such town or plantation, authorize it to elect a Representative for such portion of time and such periods, as shall be equal to its portion or representation; and the right of representation, so established, shall not be altered until the next general apportionment.

3. IV.

The meetings within this State for the election of Senators shall be notified, held and regulated and the votes received, sorted, counted, declared and recorded in the same manner as those for Representatives. And fair copies of

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the list of votes shall be attested by the selectmen and town clerks of towns, and the assessors and clerks of plantations, and sealed up in open town and plantation meetings; and the town and plantation clerks respectively shall cause the same to be delivered into the secretary's office thirty days at least before the first Wednesday of January. All other qualified electors, living in places unincorporated, who shall be assessed to the support of the government by the assessors of an adjacent town, shall have the privilege of voting for Senators, Representatives and Governor in such town; and shall be notified by the selectmen thereof for that purpose accordingly.

MARYLAND.

5. III.

Immediately after the taking and publishing of the next national census, or after any State enumeration of population, as aforesaid, it shall be the duty of the Governor, then being, to arrange the representation in said House of Delegates, in accordance with the apportionment herein provided for; and to declare, by proclamation, the number of Delegates to which each county, and the city of Baltimore, may be entitled under such apportionment; and after every national census taken thereafter, or after any State enumeration of population thereafter made, it shall be the duty of the Governor for the time being, to make similar adjustment of representation, and to declare the same by proclamation, as aforesaid.

8. III.

Immediately after the Senate shall have convened, after the first election under this Constitution,

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the Senators shall be divided by lot into two classes, as nearly equal in number as may be—Senators of the first class shall go out of office at the expiration of two years, and Senators shall be elected on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-nine, for the term of four years, to supply their places; so that, after the first election, one-half of the Senators may be chosen every second year. In case the number of Senators be hereafter increased, such classification of the additional Senators shall be made as to preserve, as nearly as may be, an equal number in each class.

MASSACHUSETTS.**§ 1.**

(There shall be annually elected, by the freeholders and other inhabitants of this Commonwealth, qualified as in this Constitution is provided, forty persons to be Councilors and Senators for the year ensuing their election; to be chosen by the inhabitants of the districts into which the Commonwealth may, from time to time, be divided by the General Court for that purpose; and the General Court in assigning the numbers to be elected by the respective districts, shall govern themselves by the proportion of the public taxes paid by the said districts; and timely make known to the inhabitants of the Commonwealth the limits of each district, and the number of Councilors and Senators to be chosen therein: Provided, That the number of such districts shall never be less than thirteen; and that no district be so large as to entitle the same to choose more than six Senators.

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And the several counties in this Commonwealth shall, until the General Court shall determine it necessary to alter the said districts, be districts for the choice of Councilors and Senators (except that the counties of Dukes County and Nantucket shall form one district for that purpose and shall elect the following number for councilors and Senators, viz.: Suffolk, six; Essex, six; Middlesex, five; Hampshire, four; Plymouth, three; Barnstable, one; Bristol, three; York, two; Dukes County and Nantucket one; Worcester, five; Cumberland, one; Lincoln, one; Berkshire, two.) Superseded by amendments, Art. XIII, which was also superseded by amendments, Art. XII. For provisions as to Councilors, see amendments, Art. XVI.

§ 2.

The Senate shall be the first branch of the Legislature; and the Senators shall be chosen in the following manner, viz.: There shall be a meeting on the (first Monday in April) annually, forever, of the inhabitants of each town in the several counties of this Commonwealth; to be called by the selectmen, and warned in due course of law, at least seven days before the first (Monday in April) for the purpose of electing persons to be Senators and Councilors (and at such meetings every male inhabitant of twenty-one years of age and upwards, having a freehold estate within the Commonwealth, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to give in his vote for the Senators for the district of which he is an inhabitant). And to remove all doubts concerning the meaning of the

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word "inhabitant" in this Constitution, every person shall be considered as an inhabitant, for the purpose of electing and being elected into any office, or place within this State, in that town, district or plantation where he dwelleth, or hath his home. Manner and time of choosing Senators and Councillors. See amendments, Arts. X and XV. As to cities, see amendments, Art. II. Provisions as to qualifications of voters, superseded by amendments, Arts. III, XVIII, XXX, XXXI and XXXII. See also amendments, Art. XXIII, which was annulled by XXVI.

The selectmen of the several towns shall preside at such meetings impartially; and shall receive the votes of all the inhabitants of such towns present and qualified to vote for Senators, and shall sort and count them in open town meeting, and in presence of the town clerk, who shall make a fair record, in presence of the selectmen, and in open town meeting, of the name of every person voted for, and of the number of votes against his name; and a fair copy of this record shall be attested by the selectmen and the town clerk, and shall be sealed up, directed to the secretary of the Commonwealth for the time being, with a superscription, expressing the purport of the contents thereof, and delivered by the town clerk of such towns, to the sheriff of the county in which such town lies, thirty days at least before (the last Wednesday in May) annually; or it shall be delivered into the secretary's office seventeen days at least before the said (Wednesday in May); and the sheriff of each county shall deliver all such

Sec. Art.

certificates by him received into the secretary's office, seventeen days before the said (last Wednesday in May). (As to cities, see amendments, Art. II. Time changed to first Wednesday of January. See amendments, Art. X.)

And the inhabitants of plantations unincorporated, qualified as this Constitution provides, who are or shall be empowered and required to assess taxes upon themselves toward the support of government, shall have the same privilege of voting for Councillors and Senators in the plantations where they reside, as town inhabitants have in their respective towns; and the plantation meetings for that purpose shall be held annually (on the same first Monday in April), at such places in the plantations, respectively, as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns, by this Constitution. And all other persons living in places unincorporated (qualified as aforesaid) who shall be assessed to the support of government by the assessors of an adjacent town, shall have the privilege of giving in their votes for Councillors and Senators in the town where they shall be assessed, and be notified of the place of meeting by the selectmen of the town where they shall be assessed, for that purpose, accordingly. (Time of election changed by amendments, Art. XV.)

MICHIGAN.

2. IV.

The Senate shall consist of thirty-

Senate and Assembly, Number of Members.

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two members. Senators shall be elected for two years, and by single districts. Such districts shall be numbered from one to thirty-two, inclusive; each of which shall choose one Senator. No county shall be divided in the formation of Senate districts, except such county shall be equitably entitled to two or more Senators.

MINNESOTA.

2. IV.

The number of members who compose the Senate and House of Representatives shall be prescribed by law, but the Representatives in the Senate shall never exceed one member for every five thousand inhabitants, and in the House of Representatives one member for every two thousand inhabitants. The representation in both houses shall be apportioned equally throughout the different sections of the State, in proportion to the population thereof, exclusive of Indians not taxable under the provisions of law.

MISSISSIPPI.

34. IV.

The House of Representatives shall consist of members chosen every four years by the qualified electors of the several counties and representative districts.

35. IV.

The Senate shall consist of members to be chosen every four years by the qualified electors of the several districts.

MISSOURI.

2. IV.

The House of Representatives shall consist of members to be chosen every second year by the qualified voters of the several counties, and apportioned in the following manner: The ratio of re-

Sec. Art.

presentation shall be ascertained at each apportioning session of the General Assembly, by dividing the whole number of inhabitants of the State, as ascertained by the last decennial census of the United States, by the number two hundred. Each county having one ratio, or less, shall be entitled to one representative; each county having two and a half times said ratio shall be entitled to two representatives; each county having four times said ratio shall be entitled to three representatives; each county having six times such ratio shall be entitled to four representatives, and so on above that number, giving one additional member for every two and a half additional ratios.

5. IV.

The Senate shall consist of thirty-four members, to be chosen by the qualified voters of their respective districts for four years. For the election of Senators, the State shall be divided into convenient districts, as nearly equal in population as may be, the same to be ascertained by the last decennial census taken by the United States.

8. IV.

Until an apportionment of Representatives can be made, in accordance with the provisions of this article, the House of Representatives shall consist of one hundred and forty-three members, which shall be divided among the several counties of the State as follows: The county of St. Louis shall have seventeen; the county of Jackson four; the county of Buchanan three; the counties of Franklin, Greene, Johnson, Lafayette, Macon, Marion, Pike and Saline, each two, and each of the other counties of the State one.

Senate and Assembly, Number of Members.

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MONTANA.

2. V.

Senators shall be elected for the term of four years, and Representatives for the term of two years, except as otherwise provided in this Constitution.

4. V.

The Legislative Assembly of this State, until otherwise provided by law, shall consist of sixteen members of the Senate, and fifty-five members of the House of Representatives.

It shall be the duty of the first Legislative Assembly to divide the State into senatorial and representative districts, but there shall be no more than one Senator from each county. The Senators shall be divided into two classes. Those elected from odd numbered districts shall constitute one class, and those elected from even numbered districts shall constitute the other class; and when any additional Senator shall be provided for by law his class shall be determined by lot.

One-half of the Senators elected to the first Legislative Assembly shall hold office for one year, and the other half for three years; and it shall be determined by lot immediately after the organization of the Senate, whether the Senators from the odd or even numbered districts shall hold for one or three years.

NEBRASKA.

3. III.

The House of Representatives shall consist of eighty-four members and the Senate shall consist of thirty members, until the year eighteen hundred and eighty, after which time the number of members of each house shall be regulated by law; but the number of Representatives

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shall never exceed one hundred, nor that of Senators thirty-three. The sessions of the Legislature shall be biennial, except as otherwise provided in this Constitution.

NEVADA.

13. I.

Representation shall be apportioned according to population.

5. IV.

Senators and members of the Assembly shall be duly qualified electors in the respective counties and districts which they represent, and the number of Senators shall not be less than one-third nor more than one-half of that of the members of the Assembly.

NEW HAMPSHIRE.

14. II.

Every member of the House of Representatives shall be chosen by ballot, and for two years, at least, next preceding his election, shall have been an inhabitant of this State; shall be, at the time of his election, an inhabitant of the town, parish or place he may be chosen to represent; and shall cease to represent such town, parish or place immediately on his ceasing to be qualified as aforesaid.

25. IV.

The Senate shall consist of twenty-four members, who shall hold their office for two years from the first Wednesday of January next ensuing their election.

NEW JERSEY.

1. IV.

The Senate shall consist of one Senator from each county in the State, elected by the legal voters of the counties, respectively, for three years.

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Sec. Art.

NORTH CAROLINA.**3. II.**

The Senate shall be composed of fifty Senators, biennially chosen by ballot.

NORTH DAKOTA.**26. II.**

The Senate shall be composed of not less than thirty nor more than fifty members.

27. II.

Senators shall be elected for the term of four years, except as hereinafter provided.

32. II.

The House of Representatives shall be composed of not less than fifty nor more than one hundred and forty members.

33. II.

Representatives shall be elected for the term of two years.

OREGON.**2. IV.**

The Senate shall consist of sixteen, and the House of Representatives of thirty-four members, which number shall not be increased until the year eighteen hundred and sixty, after which time the Legislative Assembly may increase the number of Senators and Representatives, always keeping, as near as may be, the same ratio as to the number of Senators and Representatives: Provided, That the Senate shall never exceed thirty, and the House of Representatives sixty members.

3. IV.

The Senators and Representatives shall be chosen by the electors of the respective counties or districts into which the State may from time to time be divided by law.

4. IV.

The Senators shall be elected for

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a term of four years, and the Representatives for the term of two years from the day next after their general election: Provided, however, that the Senators-elect, at the first session of the Legislative Assembly under this Constitution, shall be divided by lot into two equal classes, as nearly as may be; and the seats of the Senators of the first class shall be vacated at the expiration of two years, and those of the second class at the expiration of four years; so that one-half, as nearly as may be, shall be chosen biennially forever thereafter. And in case of the increase of the number of Senators, they shall be so annexed by lot to one or the other of the two classes as to keep them as nearly equal as possible.

5. XVIII.

Until an enumeration of the white inhabitants of the State shall be made, and the Senators and Representatives apportioned as directed in the Constitution, the county of Marion shall have two Senators and four Representatives; Lane, two Senators and three Representatives; Clackamas and Wasco, one Senator jointly, and Clackamas three Representatives and Wasco, one Representative; Yamhill, one Senator and two Representatives; Polk, one Senator and two Representatives; Benton, one Senator and two Representatives; Multnomah, one Senator and two Representatives; Washington, Columbia, Clatsop and Tillamook, one Senator jointly, and Washington, one Representative, and Washington and Columbia, one Representative jointly; and Clatsop and Tillamook, one Representative jointly; Douglas, one Senator and

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two Representatives; Jackson, one Senator and three Representatives; Josephine, one Senator and one Representative; Umpqua, Coos and Curry, one Senator jointly, and Umpqua, one Representative, and Coos and Curry, one Representative, jointly.

PENNSYLVANIA.**2. II.**

Members of the General Assembly shall be chosen at the general election every second year. Their term of service shall begin on the first day of December next after their election. Whenever a vacancy shall occur in either house, the presiding officer thereof shall issue a writ of election to fill such vacancy for the remainder of the term.

3. II.

Senators shall be elected for the term of four years and Representatives for the term of two years.

RHODE ISLAND.**1. V.**

The House of Representatives shall never exceed seventy-two members, and shall be constituted on the basis of population, always allowing one Representative for a fraction exceeding one-half the ratio; but each town or city shall always be entitled to at least one member; and no town or city shall have more than one-sixth of the whole number of members to which the house is hereby limited. The present ratio shall be one Representative to every fifteen hundred and thirty inhabitants, and the General Assembly may, after any new census taken by the authority of the United States or of this State, reapportion the representation by altering the

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ratio; but no town or city shall be divided into districts for the choice of Representatives.

1. VI.

The Senate shall consist of the Lieutenant-Governor and of one Senator from each town or city in the State.

SOUTH CAROLINA.**9. II.**

Upon the meeting of the first General Assembly, which shall be chosen under the provisions of this Constitution, the Senators shall be divided by lot into two classes, as nearly equal as may be; the seats of the Senators of the first class to be vacated at the expiration of two years after the Monday following the general election, and of those of the second class at the expiration of four years, so that, except as above provided, one-half of the Senators may be chosen every second year.

SOUTH DAKOTA.**2. III.**

The number of members of the House of Representatives shall not be less than seventy-five nor more than one hundred and thirty-five. The number of members of the Senate shall not be less than twenty-five nor more than forty-five.

The sessions of the Legislature shall be biennial, except as otherwise provided in this Constitution.

1. XXV.

The House of Representatives shall consist of three times the number of the members of the Senate, and the term of office shall be two years. Three Representatives shall be elected in each Senatorial district at the first general election held after

Senate and Assembly, Number of Members.

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this Constitution takes effect, and every two years thereafter.

12. XXVI.

The apportionment made in this Constitution shall govern the elections above provided for for members of the State Legislature until otherwise provided by law.

At the first election held under this ordinance for Senators and Representatives of the Legislature, there shall be elected forty-five Senators and one hundred and twenty-four Representatives in the State Legislature respectively.

TEXAS.

2. III.

The Senate shall consist of thirty-one members, and shall never be increased above this number. The House of Representatives shall consist of ninety-three members until the first apportionment after the adoption of this Constitution, when, or at any apportionment thereafter, the number of Representatives may be increased by the Legislature, upon the ratio of not more than one Representative for every fifteen thousand inhabitants: Provided, The number of Representatives shall never exceed one hundred and fifty.

3. III.

The Senators shall be chosen by the qualified electors for the term of four years; but a new Senate shall be chosen after every apportionment, and the Senators elected after each apportionment shall be divided by lot into two classes. The seats of the Senators of the first class shall be vacated at the expiration of the first two years, and those of the second class at the expiration of four years, so that one-half of the Senators shall be chosen biennially thereafter.

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4. III.

The members of the House of Representatives shall be chosen by the qualified electors, and their term of office shall be two years from the day of their election.

26. III.

The members of the House of Representatives shall be apportioned among the several counties, according to the number of population in each, as nearly as may be, on a ratio obtained by dividing the population of the State, as ascertained by the most recent United States census, by the number of members of which the house is composed: Provided, That whenever a single county has sufficient population to be entitled to a representative, such county shall be formed into a separate representative district, and when two or more counties are required to make up the ratio of representation, such counties shall be contiguous to each other; and when any one county has more than sufficient population to be entitled to one or more representatives, such Representative or Representatives shall be apportioned to such county, and for any surplus of population it may be joined in a representative district with any other contiguous county or counties.

VERMONT.

IV.

The Senate shall be composed of thirty Senators, to be of the freemen of the county for which they are elected, respectively, who are thirty years of age or upwards, and to be annually elected by the freemen of each county respectively. Each county shall be entitled to one Senator

Senate and Assembly, Number of Members.

Sec. Art.

at least, and the remainder of the Senators shall be apportioned to the several counties according to their population, as the same was ascertained by the last census, taken under the authority of the United States, regard being always had, in such apportionment to the counties having the greatest fraction. But the several counties shall, until after the next census of the United States, be entitled to elect, and have their Senators, in the following proposition, to wit:

Bennington county, two; Windham county, three; Rutland county, three; Windsor county, four; Addison county, three; Orange county, three; Washington county, two; Chittenden county, two; Calendonla county, two; Franklin county, three; Orleans county, one; Essex county, one; Grand Isle county, one.

The Legislature shall make a new apportionment of the Senators, to the several counties, after the taking of each census of the United States, or census taken for the purpose of such apportionment, by order of the government of this State—always regarding the above provisions in this article.

5. V.

The freemen of the several towns in each county shall annually give their votes for the Senators apportioned to such county, at the same time, and under the same regulations, as are now provided for the election of Councilors. And the person or persons, equal in number to the number of Senators apportioned to such county, having the greatest number of legal votes, in such county respectively, shall

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be the Senator or Senators, of such county. At every election of Senators, after the votes shall have been taken, the constable or presiding officer, assisted by the selectmen and civil authority present, shall sort and count the said votes, and make two lists of the names of each person, with the number of votes given for each annexed to his name, a record of which shall be made in the town clerk's office, and shall seal up his said lists, separately, and write on each the name of the town, and these words, "Votes for Senator," or "Votes for Senators," as the case may be, one of which lists shall be delivered by the presiding officer to the Representative of said town (if any), and if none be chosen, to the Representative of an adjoining town, to be transmitted to the President of the Senate; the other list, the said presiding officer shall, within ten days, deliver to the clerk of the County Court, for the same county; and the clerk of each County Court, respectively, or in case of his absence or disability, to the sheriff of such county, or in case of the absence or disability of both, to the high bailiff of such county, on the tenth day after such election shall publicly open, sort and count said votes, and make a record of the same in the office of the clerk of such County Court, a copy of which he shall transmit to the Senate—and shall also within ten days thereafter, transmit to the person or persons elected, a certificate of his or their election: Provided, however, That the General Assembly shall have power to regulate by law the mode of bal-

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lotting for Senators, within the several counties, and to prescribe the means, and the manner by which the result of the balloting shall be ascertained, and through which the Senators chosen shall be certified of their election, and for filling all vacancies in the Senate, which shall happen by death, resignation or otherwise. But they shall not have power to apportion the Senators to the several counties otherwise than according to the population thereof agreeably to the provisions hereinafter ordained.

XXIII.

The Senate shall be composed of thirty Senators, to be of the freemen of the county for which they are elected, respectively, who shall have attained the age of thirty years, and they shall be elected annually by the freemen of each county, respectively.

The Senators shall be apportioned to the several counties according to the population as ascertained by the census taker under the authority of Congress in the year 1840, regard being always had in such apportionment to the counties having the largest fraction, and giving to each county at least one Senator.

The Legislature shall make a new apportionment of the Senators to the several counties, after the taking of each census of the United States, or after a census taken for the purpose of such apportionment, under the authority of this State, always regarding the above provisions of this article.

XXIV.

The term of office of Senators and town representatives shall be

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two years, commencing on the first Wednesday of October following their election.

VIRGINIA.**3. V.**

From and after the same date the Senate shall consist of not less than thirty-three nor more than forty members. They shall be elected for the term of four years—for the election of whom the counties, cities and towns shall be divided into districts. Each county, city and town of the respective districts shall, at the time of the first election of its delegate or delegates under this amendment, vote for one or more Senators. The Senators first elected under this amendment in districts bearing odd numbers shall vacate their offices at the end of two years; and those elected in districts bearing even numbers at the end of four years; and vacancies occurring by expiration of term shall be filled by the election of Senators for the full term.

WASHINGTON.**2. II.**

The House of Representatives shall be composed of not less than sixty-three nor more than ninety-nine members. The number of Senators shall not be more than one-half nor less than one-third of the number of members of the House of Representatives. The first Legislature shall be composed of seventy members of the House of Representatives and thirty-five Senators.

WEST VIRGINIA.**2. VI.**

The Senate shall be composed of twenty-four, and the House of Delegates of sixty-five members, subject to be increased according

Senate and Assembly, Number of Members.

Sec. Art.

to the provisions hereinafter contained.

8. VI.

Senators shall be elected for the term of four years, and Delegates for the term of two years. The Senators first elected, shall divide themselves into two classes, one Senator from every district being assigned to each class; and of these classes the first to be designated by lot in such manner as the Senate may determine shall hold their seats for two years; and the second for four years, so that after the first election, one-half of the Senators shall be elected biennially.

WISCONSIN.

2. IV.

The number of the members of the Assembly shall never be less than fifty-four, nor more than one hundred. The Senate shall consist of a number not more than one-third, nor less than one-fourth, of the number of the members of the Assembly.

5. IV.

The Senators shall be chosen by single districts of convenient contiguous territory, at the same time and in the same manner as members of the Assembly are required to be chosen, and no Assembly district shall be divided in the formation of a Senate district. The Senate districts shall be numbered in the regular series, and the Senators chosen by the odd numbered districts shall go out of office at the expiration of the first year and the Senators chosen by the even numbered districts shall go out of office at the expiration of the second year, and thereafter the Senators shall be chosen for the term of two years.

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WYOMING.

2. III.

Senators shall be elected for the term of four (4) years, and Representatives for the term of two (2) years. The Senators elected at the first election shall be divided by lot into two classes as nearly equal as may be. The seats of Senators of the first class shall be vacated at the expiration of the first two years, and of the second class at the expiration of four years. No person shall be a Senator who has not attained the age of twenty-five years, or a Representative who has not attained the age of twenty-one years, and who is not a citizen of the United States and of this State, and who has not, for at least twelve months next preceding his election, resided within the county or district in which he was elected.

3. III.

Each county shall constitute a senatorial and representative district; the Senate and House of Representatives shall be composed of members elected by the legal voters of the counties respectively, every two (2) years. They shall be apportioned among the said counties as nearly as may be according to the number of their inhabitants. Each county shall have at least one Senator and one Representative; but at no time shall the number of members of the House of Representatives be less than twice nor greater than three times the number of members of the Senate. The Senate and House of Representatives first elected in pursuance of this Constitution shall consist of sixteen and

Senate and Assembly, Number of Members.

Sec. Art.

thirty-three members respectively.

18. **XXI.**

Senators and members of the House of Representatives shall be chosen by the qualified electors of the several Senatorial and

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Representative districts as established in this Constitution until such districts shall be changed by law, and thereafter by the qualified electors of the several districts as the same shall be established by law.

Senate Districts.

SENATE DISTRICTS.

1 Sec. 3. The State shall be divided into fifty districts to be
2 called Senate districts, each of which shall choose one
3 Senator. The districts shall be numbered from one to fifty,
4 inclusive.

5 District number one (1) shall consist of the counties of
6 Suffolk and Richmond.

7 District number two (2) shall consist of the county of
8 Queens.

9 District number three (3) shall consist of that part of the
10 county of Kings comprising the first, second, third, fourth,
11 fifth and sixth wards of the city of Brooklyn.

12 District number four (4) shall consist of that part of the
13 county of Kings comprising the seventh, thirteenth, nineteenth
14 and twenty-first wards of the city of Brooklyn.

15 District number five (5) shall consist of that part of the
16 county of Kings comprising the eighth, tenth, twelfth and
17 thirtieth wards of the city of Brooklyn, and the ward of the
18 city of Brooklyn which was formerly the town of Gravesend.

19 District number six (6) shall consist of that part of the
20 county of Kings comprising the ninth, eleventh, twentieth and
21 twenty-second wards of the city of Brooklyn.

Senate Districts.

22 District number seven (7) shall consist of that part of the
23 county of Kings comprising the fourteenth, fifteenth, sixteenth
24 and seventeenth wards of the city of Brooklyn.

25 District number eight (8) shall consist of that part of the
26 county of Kings comprising the twenty-third, twenty-fourth,
27 twenty-fifth and twenty-ninth wards of the city of Brooklyn,
28 and the town of Flatlands.

29 District number nine (9) shall consist of that part of the
30 county of Kings comprising the eighteenth, twenty-sixth,
31 twenty-seventh and twenty-eighth wards of the city of
32 Brooklyn.

33 District number ten (10) shall consist of that part of the
34 county of New York within and bounded by a line beginning
35 at Canal street and the Hudson river, and running thence
36 along Canal street, Hudson street, Dominick street, Varick
37 street, Broome street, Sullivan street, Spring street, Broadway,
38 Canal street, the Bowery, Division street, Grand street and
39 Jackson street, to the East river and thence around the
40 southern end of Manhattan Island, to the place of beginning,
41 and also Governor's, Bedlow's and Ellis islands.

42 District number eleven (11) shall consist of that part of the
43 county of New York lying north of district number ten, and

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44 within and bounded by a line beginning at the junction of
45 Broadway and Canal street, and running thence along Broad-
46 way, Fourth street, the Bowery and Third avenue, St Mark's
47 place, Avenue A, Seventh street, Avenue B, Clinton street,
48 Rivington street, Norfolk street, Division street, Bowery and
49 Canal street, to the place of beginning.

50 District number twelve (12) shall consist of that part of the
51 county of New York lying north of districts numbers ten and
52 eleven and within and bounded by a line beginning at Jackson
53 street and the East river, and running thence through Jackson
54 street, Grand street, Division street, Norfolk street, Riving-
55 ton street, Clinton street, Avenue B, Seventh street, Avenue A,
56 St. Mark's place, Third avenue, East Fourteenth street to the
57 East river, and along the East river, to the place of beginning.

58 District number thirteen (13) shall consist of that part of
59 the county of New York lying north of district number ten,
60 and within and bounded by a line beginning at the Hudson
61 river at the foot of Canal street, and running thence along
62 Canal street, Hudson street, Dominick street, Varick street,
63 Broome street, Sullivan street, Spring street, Broadway, Fourth
64 street, the Bowery and Third avenue, Fourteenth street, Sixth
65 avenue, West Fifteenth street, Seventh avenue, West Nine-

Senate Districts.

66 tenth street, Eighth avenue, West Twentieth street, and the
67 Hudson river, to the place of beginning.

68 District number fourteen (14) shall consist of that part of
69 the county of New York lying north of districts numbers
70 twelve and thirteen, and within and bounded by a line begin-
71 ning at East Fourteenth street and the East river, and running
72 thence along East Fourteenth street, Irving place, East
73 Nineteenth street, Third avenue, East Twenty-third street,
74 Lexington avenue, East Fifty-third street, Third avenue, East
75 Fifty-second street, and the East river, to the place of
76 beginning.

77 District number fifteen (15) shall consist of that part of the
78 county of New York lying north of district number thirteen,
79 and within and bounded by a line beginning at the junction of
80 West Fourteenth street and Sixth avenue, and running thence
81 along Sixth avenue, West Fifteenth street, Seventh avenue,
82 West Fortieth street, Eighth avenue, and the transverse road
83 across Central park at Ninety-seventh street, Fifth avenue, East
84 Ninety-sixth street, Lexington avenue, East Twenty-third
85 street, Third avenue, East Nineteenth street, Irving place and
86 Fourteenth street, to the place of beginning.

87 District number sixteen (16) shall consist of that part of the

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88 county of New York lying north of district number thirteen,
89 and within and bounded by a line beginning at Seventh avenue
90 and West Nineteenth street, and running thence along West
91 Nineteenth street, Eighth avenue, West Twentieth street, the
92 Hudson river, West Forty-sixth street, Tenth avenue, West
93 Forty-third street, Eighth avenue, West Fortieth street and
94 Seventh avenue, to the place of beginning.

95 District number seventeen (17) shall consist of that part of
96 the county of New York lying north of district number six-
97 teen, and within and bounded by a line beginning at the
98 junction of Eighth avenue and West Forty-third street, and
99 running thence along West Forty-third street, Tenth avenue,
100 West Forty-sixth street, the Hudson river, West Eighty-ninth
101 street, Tenth or Amsterdam avenue, West Eighty-sixth street,
102 Ninth or Columbus avenue, West Eighty-first street and
103 Eighth avenue, to the place of beginning.

104 District number eighteen (18) shall consist of that part of
105 the county of New York lying north of district number four-
106 teen, and within and bounded by a line beginning at the junc-
107 tion of East Fifty-second street and the East river, and running
108 thence along East Fifty-second street, Third avenue, East
109 Fifty-third street, Lexington avenue, East Eighty-fourth street,

Senate Districts.

110 Second avenue, East Eighty-third street and the East river,
111 to the place of beginning; and also Blackwell's island.

112 District number nineteen (19) shall consist of that part of
113 the county of New York lying north of district number seven-
114 teen, and within and bounded by a line beginning at West
115 Eighty-ninth street and the Hudson river, and running thence
116 along the Hudson river and Spuyten Duyvil creek around the
117 northern end of Manhattan island; thence southerly along
118 the Harlem river to the north end of Fifth avenue; thence
119 along Fifth avenue, East One Hundred and Twenty-ninth
120 street, Fourth or Park avenue, East One Hundred and Tenth
121 street, Fifth avenue, the transverse road across Central park at
122 Ninety-seventh street, Eighth avenue, West Eighty-first street,
123 Ninth or Columbus avenue, West Eighty-sixth street, Tenth
124 or Amsterdam avenue and West Eighty-ninth street, to the
125 place of beginning.

126 District number twenty (20) shall consist of that part of the
127 county of New York lying north of districts numbers eighteen
128 and fifteen, and within and bounded by a line beginning at
129 East Eighty-third street and the East river, running thence
130 through East Eighty-third street, Second avenue, East Eighty-
131 fourth street, Lexington avenue, East Ninety-sixth street,

Senate Districts.

132 Fifth avenue, East One Hundred and Tenth street, Fourth or
133 Park avenue, East One Hundred and Nineteenth street to the
134 Harlem river, and along the Harlem and East rivers, to the
135 place of beginning; and also Randall's island and Ward's
136 island.

137 All of the above districts in the county of New York
138 bounded upon or along the boundary waters of the county,
139 shall be deemed to extend to the county line.

140 District number twenty-one (21) shall consist of that part
141 of the county of New York lying north of districts numbers
142 nineteen and twenty, within and bounded by a line beginning
143 at East One Hundred and Nineteenth street and the Harlem
144 river, and running thence along East One Hundred and
145 Nineteenth street, Fourth or Park avenue, One Hundred and
146 Twenty-ninth street, Fifth avenue and the Harlem river, to
147 the place of beginning; and all that part of the county of New
148 York not hereinbefore described.

149 District number twenty-two (22) shall consist of the county
150 of Westchester.

151 District number twenty-three (23) shall consist of the
152 counties of Orange and Rockland.

153 District number twenty-four (24) shall consist of the coun-
154 ties of Dutchess, Columbia and Putnam.

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155 District number twenty-five (25) shall consist of the counties
156 of Ulster and Greene.

157 District number twenty-six (26) shall consist of the counties
158 of Delaware, Chenango and Sullivan.

159 District number twenty-seven (27) shall consist of the
160 counties of Montgomery, Fulton, Hamilton and Schoharie.

161 District number twenty-eight (28) shall consist of the
162 counties of Saratoga, Schenectady and Washington.

163 District number twenty-nine (29) shall consist of the county
164 of Albany.

165 District number thirty (30) shall consist of the county of
166 Rensselaer.

167 District number thirty-one (31) shall consist of the counties
168 of Clinton, Essex and Warren.

169 District number thirty-two (32) shall consist of the counties
170 of St. Lawrence and Franklin.

171 District number thirty-three (33) shall consist of the counties
172 of Otsego and Herkimer.

173 District number thirty-four (34) shall consist of the county
174 of Oneida.

175 District number thirty-five (35) shall consist of the counties
176 of Jefferson and Lewis.

Senate Districts.

177 District number thirty-six (36) shall consist of the county of
178 Onondaga.

179 District number thirty-seven (37) shall consist of the counties
180 of Oswego and Madison.

181 District number thirty-eight (38) shall consist of the counties
182 of Broome, Cortland and Tioga.

183 District number thirty-nine (39) shall consist of the counties
184 of Cayuga and Seneca.

185 District number forty (40) shall consist of the counties of
186 Chemung, Tompkins and Schuyler.

187 District number forty-one (41) shall consist of the counties
188 of Steuben and Yates.

189 District number forty-two (42) shall consist of the counties
190 of Ontario and Wayne.

191 District number forty-three (43) shall consist of that part of
192 the county of Monroe comprising the towns of Brighton,
193 Henrietta, Irondequoit, Mendon, Penfield, Perinton, Pittsford,
194 Rush and Webster, and the fourth, sixth, seventh, eighth,
195 twelfth, thirteenth, fourteenth, sixteenth, seventeenth and
196 eighteenth wards of the city of Rochester, as at present
197 constituted.

198 District number forty-four (44) shall consist of that part of

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199 the county of Monroe comprising the towns of Chili, Clark-
200 son, Gates, Greece, Hamlin, Ogden, Parma, Riga, Sweden and
201 Wheatland, and the first, second, third, fifth, ninth, tenth,
202 eleventh, fifteenth, nineteenth and twentieth wards of the city
203 of Rochester, as at present constituted.

204 District number forty-five (45) shall consist of the counties
205 of Niagara, Genesee and Orleans.

206 District number forty-six (46) shall consist of the counties
207 of Allegany, Livingston and Wyoming.

208 District number forty-seven (47) shall consist of that part of
209 the county of Erie comprising the first, second, third, sixth,
210 fifteenth, nineteenth, twentieth, twenty-first, twenty-second,
211 twenty-third and twenty-fourth wards of the city of Buffalo,
212 as at present constituted.

213 District number forty-eight (48) shall consist of that part
214 of the county of Erie comprising the fourth, fifth, seventh,
215 eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth
216 and sixteenth wards of the city of Buffalo, as at present
217 constituted.

218 District number forty-nine (49) shall consist of that part of
219 the county of Erie comprising the seventeenth, eighteenth and
220 twenty-fifth wards of the city of Buffalo, as at present consti-

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221 tuted; and all the remainder of the said county of Erie not
222 hereinbefore described.

223 District number fifty (50) shall consist of the counties of
224 Chautauqua and Cattaraugus.

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ALABAMA.**7. IX.**

Until the General Assembly shall divide the State into Senatorial districts, the Senatorial districts shall be as follows:

First district, Lauderdale and Limestone; second district, Colbert and Lawrence; third district, Morgan, Winston and Blount; fourth district, Madison; fifth district, Marshall, Jackson and DeKalb; sixth district, Cherokee, Etowah and St. Clair; seventh district, Calhoun and Cleburne; eighth district, Talladega and Clay; ninth district, Randolph and Chambers; tenth district, Macon and Tallapoosa; eleventh district, Bibb and Tuscaloosa; twelfth district, Franklin, Marion, Fayette and Sanford; thirteenth district, Walker, Jefferson and Shelby; fourteenth district, Greene and Pickens; fifteenth district, Coosa, Elmore and Chilton; sixteenth district, Lowndes and Autauga; seventeenth district, Butler and Conecuh; eighteenth district, Perry; nineteenth district, Choctaw, Clarke and Washington; twentieth district, Marengo, twenty-first district, Monroe, Escambia and Baldwin; twenty-second district, Wilcox; twenty-third district, Henry, Coffee, Dale and Geneva; twenty-fourth district, Barbour; twenty-fifth district, Pike, Crenshaw and Covington; twenty-sixth district,

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Bullock; twenty-seventh district, Lee; twenty-eighth district, Montgomery; twenty-ninth district, Russell; thirtieth district, Dallas; thirty-first district, Sumter; thirty-second district, Hale; thirty-third district, Mobile.

ARKANSAS.**2. VIII.**

The Legislature shall from time to time divide the State into convenient Senatorial districts in such manner that the Senate shall be based upon the adult male inhabitants of the State, each Senator representing an equal number as nearly as practicable, and until the enumeration of the inhabitants is taken by the United States government, A. D. 1880, the districts shall be arranged as follows:

The counties of Greene, Craighead and Clayton shall compose the first district and elect one Senator.

The counties of Randolph, Lawrence and Sharp shall compose the second district and elect one Senator.

The counties of Carroll, Boone and Newton shall compose the third district and elect one Senator.

The counties of Johnson and Pope shall compose the fourth district and elect one Senator.

The county of Washington shall compose the fifth district and elect one Senator.

The counties of Independence and

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Stone shall compose the sixth district and elect one Senator.

The counties of Woodruff, St. Francis, Cross and Crittenden shall compose the seventh district and elect one Senator.

The counties of Yell and Sarber shall compose the eighth district and elect one Senator.

The counties of Saline, Gariand, Hot Spring and Grant shall compose the ninth district and elect one Senator.

The counties of Pulaski and Perry shall compose the tenth district and elect two Senators.

The county of Jefferson shall compose the eleventh district and elect one Senator.

The counties of Lonoke and Prairie shall compose the twelfth district and elect one Senator.

The counties of Arkansas and Monroe shall compose the thirteenth district and elect one Senator.

The counties of Phillips and Lee shall compose the fourteenth district and elect one Senator.

The counties of Desha and Chicot shall compose the fifteenth district and elect one Senator.

The counties of Lincoln, Dorsey and Dallas shall compose the sixteenth district and elect one Senator.

The counties of Drew and Ashley shall compose the seventeenth district and elect one Senator.

The counties of Bradley and Union shall compose the eighteenth district and elect one Senator.

The counties of Calhoun and Ouachita shall compose the nineteenth district and elect one Senator.

The counties of Hempstead and Nevada shall compose the twentieth district and elect one Senator.

The counties of Columbia and Lafayette shall compose the twen-

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ty-first district and elect one Senator.

The counties of Little River, Sevier, Howard and Polk shall compose the twenty-second district and elect one Senator.

The counties of Fulton, Izard, Marion and Baxter shall compose the twenty-third district and elect one Senator.

The counties of Benton and Madison shall compose the twenty-fourth district and elect one Senator.

The counties of Crawford and Franklin shall compose the twenty-fifth district and elect one Senator.

The counties of Van Buren, Conway and Searcy shall compose the twenty-sixth district and elect one Senator.

The counties of White and Faulkner shall compose the twenty-seventh district and elect one Senator.

The counties of Sebastian and Scott shall compose the twenty-eighth district and elect one Senator.

The counties of Poinsett, Jackson and Mississippi shall compose the twenty-ninth district and elect one Senator.

The counties of Clark, Pike and Montgomery shall compose the thirtieth district and elect one Senator.

And the Senate shall never consist of less than thirty nor more than thirty-five members.

3. VIII.

Senatorial districts shall at all times consist of contiguous territory, and no county shall be divided in the formation of a Senatorial district.

4. VIII.

The division of the State into Senatorial districts and the apportionment of Representatives to

Senate Districts.

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the several counties shall be made by the General Assembly at the first regular session after each enumeration of the inhabitants of the State by the Federal or State government shall have been ascertained, and at no other time.

COLORADO.

48. V.

Until the State shall be divided into Senatorial districts, in accordance with the provisions of this article, said districts shall be constituted and numbered as follows:

The county of Weld shall constitute the first district, and be entitled to one Senator.

The county of Larimer shall constitute the second district, and be entitled to one Senator.

The county of Boulder shall constitute the third district, and be entitled to two Senators.

The county of Gilpin shall constitute the fourth district, and be entitled to one Senator.

The counties of Gilpin, Summit and Grand shall constitute the fifth district, and be entitled to one Senator.

The county of Clear Creek shall constitute the sixth district, and be entitled to two Senators.

The county of Jefferson shall constitute the seventh district, and be entitled to one Senator.

The county of Arapahoe shall constitute the eighth district, and be entitled to four Senators.

The counties of Elbert and Bent shall constitute the ninth district, and be entitled to one Senator.

The county of El Paso shall constitute the tenth district, and be entitled to one Senator.

The county of Douglas shall constitute the eleventh district, and be entitled to one Senator.

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The county of Park shall constitute the twelfth district, and be entitled to one Senator.

The counties of Lake and Saguache shall constitute the thirteenth district, and be entitled to one Senator.

The county of Fremont shall constitute the fourteenth district, and be entitled to one Senator.

The county of Pueblo shall constitute the fifteenth district, and be entitled to one Senator.

The county of Huerfano shall constitute the sixteenth district, and be entitled to one Senator.

The county of Las Animas shall constitute the seventeenth district, and be entitled to two Senators.

The county of Costilla shall constitute the eighteenth district, and be entitled to one Senator.

The county of Conejos shall constitute the nineteenth district, and be entitled to one Senator.

The counties of Rio Grande, Hinsdale, La Plata and San Juan shall constitute the twentieth district, and be entitled to one Senator.

CONNECTICUT.

2.

The General Assembly, which shall be holden on the first Wednesday of May, in the year one thousand eight hundred and twenty-nine, shall divide the State into districts for the choice of Senators, and shall determine what number shall be elected in each; which districts shall not be less than eight nor more than twenty-four in number, and shall always be composed of contiguous territory, and in forming them no town shall be divided, nor shall the whole or part of one county be joined to the whole or part of another county to form a district, regard being

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had to the population in said apportionment, and in forming said districts, in such manner that no county shall have less than two Senators. The district, when established, shall continue the same until the session of the General Assembly next after the completion of the next census of the United States; which said Assembly shall have power to alter the same, if found necessary to preserve a proper equality between said districts in respect to the number of inhabitants therein, according to the principles above recited; after which said district shall not be altered, nor the number of Senators altered, except at any session of the General Assembly next after the completion of a census of the United States, and then only according to the principles above described.

GEORGIA.

2. III.

The Senate shall consist of forty-four members. There shall be forty-four Senatorial districts as now arranged by counties. Each district shall have one Senator.

The first Senatorial district shall be composed of the counties of Chatham, Bryan and Effingham.

The second Senatorial district shall be composed of the counties of Liberty, Tattnall and McIntosh.

The third Senatorial district shall be composed of the counties of Wayne, Pierce and Appling.

The fourth Senatorial district shall be composed of the counties of Glynn, Camden and Charlton.

The fifth Senatorial district shall be composed of the counties of Coffee, Ware and Clinch.

The sixth Senatorial district shall

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be composed of the counties of Echols, Lowndes and Berrien.

The seventh Senatorial district shall be composed of the counties of Brooks, Thomas and Colquitt.

The eighth Senatorial district shall be composed of the counties of Decatur, Mitchell and Miller.

The ninth Senatorial district shall be composed of the counties of Early, Calhoun and Baker.

The tenth Senatorial district shall be composed of the counties of Dougherty, Lee and Worth.

The eleventh Senatorial district shall be composed of the counties of Clay, Randolph and Terrell.

The twelfth Senatorial district shall be composed of the counties of Stewart, Webster and Quitman.

The thirteenth Senatorial district shall be composed of the counties of Sumter, Schley and Macon.

The fourteenth Senatorial district shall be composed of the counties of Dooley, Wilcox, Pulaski and Dodge.

The fifteenth Senatorial district shall be composed of the counties of Montgomery, Telfair and Irwin.

The sixteenth Senatorial district shall be composed of the counties of Laurens, Emanuel and Johnson.

The seventeenth Senatorial district shall be composed of the counties of Screven, Bulloch and Burke.

The eighteenth Senatorial district shall be composed of the counties of Richmond, Glascock and Jefferson.

The nineteenth Senatorial district shall be composed of the counties of Taliaferro, Greene and Warren.

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The twentieth Senatorial district shall be composed of the counties of Baldwin, Hancock and Washington.

The twenty-first Senatorial district shall be composed of the counties of Twiggs, Wilkinson and Jones.

The twenty-second Senatorial district shall be composed of the counties of Bibb, Monroe and Pike.

The twenty-third Senatorial district shall be composed of the counties of Houston, Crawford and Taylor.

The twenty-fourth Senatorial district shall be composed of the counties of Muscogee, Marion and Chattahoochee.

The twenty-fifth Senatorial district shall be composed of the counties of Harris, Upson and Talbot.

The twenty-sixth Senatorial district shall be composed of the counties of Spalding, Butts and Fayette.

The twenty-seventh Senatorial district shall be composed of the counties of Newton, Walton, Clark, Oconee and Rockdale.

The twenty-eighth senatorial district shall be composed of the counties of Jasper, Putnam and Morgan.

The twenty-ninth Senatorial district shall be composed of the counties of Wilkes, Columbia, Lincoln and McDuffie.

The thirtieth Senatorial district shall be composed of the counties of Oglethorpe, Madison and Elbert.

The thirty-first Senatorial district shall be composed of the counties of Hart, Habersham and Franklin.

The thirty-second Senatorial district shall be composed of the

Sec. Art.

counties of White, Dawson and Lumpkin.

The thirty-third Senatorial district shall be composed of the counties of Hall, Banks and Jackson.

The thirty-fourth Senatorial district shall be composed of the counties of Gwinett, DeKalb and Henry.

The thirty-fifth Senatorial district shall be composed of the counties of Clay, Cobb and Fulton.

The thirty-sixth Senatorial district shall be composed of the counties of Campbell, Coweta, Meriwether and Douglas.

The thirty-seventh Senatorial district shall be composed of the counties of Carroll, Heard and Troupe.

The thirty-eighth Senatorial district shall be composed of the counties of Haralson, Polk and Paulding.

The thirty-ninth Senatorial district shall be composed of the counties of Milton, Cherokee and Forsyth.

The fortieth Senatorial district shall be composed of the counties of Union, Towns and Rabun.

The forty-first Senatorial district shall be composed of the counties of Pickens, Fannin and Gilmer.

The forty-second Senatorial district shall be composed of the counties of Bartow, Floyd and Chattooga.

The forty-third Senatorial district shall be composed of the counties of Murray, Gordon and Whitfield.

The forty-fourth Senatorial district shall be composed of the counties of Walker, Dade and Catoosa.

3.

The General Assembly may

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change these districts after each census of the United States: Provided, That neither the number of districts nor the number of Senators from each district shall be increased.

IDAHO.

19. I.

Until otherwise provided by law the apportionment of the two houses of the Legislature shall be as follows:

The first senatorial district shall consist of the county of Shoshone, and shall elect two senators

The second shall consist of the counties of Kootenai and Latah, and shall elect one Senator.

The third shall consist of the counties of Nez Perce and Idaho, and shall elect one Senator.

The fourth shall consist of the counties of Nez Perce and Latah, and shall elect one Senator.

The fifth shall consist of the county of Latah, and shall elect one Senator.

The sixth shall consist of the county of Boise, and shall elect one Senator.

The seventh shall consist of the county of Custer, and shall elect one Senator.

The eighth shall consist of the county of Lemhi, and shall elect one Senator.

The ninth shall consist of the county of Logan, and shall elect one Senator.

The tenth shall consist of the county of Bingham, and shall elect one Senator.

The eleventh shall consist of the counties of Bear Lake, Oneida and Bingham, and shall elect one Senator.

The twelfth shall consist of the counties of Owyhee and Cassia, and shall elect one Senator.

Sec. Art.

The thirteenth shall consist of the county of Elmore, and shall elect one Senator.

The fourteenth shall consist of the county of Alturas, and shall elect one Senator.

The fifteenth shall consist of the county of Ada, and shall elect two Senators.

The sixteenth shall consist of the county of Washington, and shall elect one Senator.

KANSAS.

1. X.

In the future apportionment of the State, each organized county shall have at least one Representative; and each county shall be divided into as many districts as it has Representatives.

2. X.

It shall be the duty of the first Legislature to make an apportionment, based upon the census ordered by the last Legislative assembly of the Territory; and a new apportionment shall be made in the year 1866, and every five years thereafter, based upon the census of the preceding year.

3. X.

Until there shall be a new apportionment, the State shall be divided into election districts; and the Representatives and Senators shall be apportioned among the several districts as follows, viz.:

First district—Doniphan, 4 Representatives, 2 Senators.

Second district—Atchison and Brown, 6 Representatives, 2 Senators.

Third district—Nemaha, Marshall and Washington, 2 Representatives, 1 Senator.

Fourth district—Clay, Riley and Pottawatomie, 4 Representatives, 1 Senator.

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Fifth district—Dickinson, Davis and Wabaunsee, 3 Representatives, 1 Senator.

Sixth district—Shawnee, Jackson and Jefferson, 8 Representatives, 2 Senators.

Seventh district—Leavenworth, 9 Representatives, 3 Senators.

Eighth district—Douglas, Johnson and Wyandotte, 13 Representatives, 4 Senators.

Ninth district—Lykins, Linn and Bourbon, 9 Representatives, 3 Senators.

Tenth district—Allen, Anderson and Franklin, 6 Representatives, 2 Senators.

Eleventh district—Woodson and Madison, 2 Representatives, 1 Senator.

Twelfth district—Coffey, Osage and Breckenridge, 6 Representatives, 2 Senators.

Thirteenth district—Morris, Chase and Butler, 2 Representatives, 1 Senator.

Fourteenth district—Arapahoe, Godfrey, Greenwood, Hunter, Wilson, Dorn and McGee, 1 Representative.

KENTUCKY.

33.

The first General Assembly after the adoption of this Constitution shall divide the State into thirty-eight senatorial districts, and one hundred Representative districts, as nearly equal in population as may be without dividing any county, except where a county may include more than one district, which districts shall constitute the Senatorial and Representative districts for ten years. Not more than two counties shall be joined together to form a Representative district: Provided, In doing so the principle requiring every district to be as nearly equal in population as may be shall not be vio-

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lated. At the expiration of that time the General Assembly shall then, and every ten years thereafter, redistrict the State according to this rule, and for the purposes expressed in this section. If, in making said districts, inequality of population should be unavoidable, any advantage resulting therefrom shall be given to the districts having the largest territory. No part of a county shall be added to another county to make a district, and the counties forming a district shall be contiguous.

MINNESOTA.

10.

For the purposes of the first election for members of the State Senate and House of Representatives, the State shall be divided into Senatorial and Representative districts, as follows, viz.: First district, Washington county; second district, Ramsey county; third district, Dakota county; fourth district, so much of Hennepin county as lies west of the Mississippi; fifth district, Rice county; sixth district, Goodhue county; seventh district, Scott county; eighth district, Olmsted county; ninth district, Fillmore county; tenth district, Houston county; eleventh district, Winona county; twelfth district, Wabasha county; thirteenth district, Mower and Dodge counties; fourteenth district, Freeborn and Faribault counties; fifteenth district, Steele and Waseca county; sixteenth district, Blue Earth and Le Sueur counties; seventeenth district, Nicollet and Brown counties; eighteenth district, Sibley, Remville and McLeod counties; nineteenth district, Carver and Wright counties; twentieth district, Benton, Stearns and Mee-

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ker counties; twenty-first district, Morrison, Crow Wing and Mille Lacs counties; twenty-second district, Cass, Pembina and Todd counties; twenty-third district, so much of Hennepin county as lies east of the Mississippi; twenty-fourth district, Sherburne, Anoka and Manomin counties; twenty-fifth district, Chisago, Pine and Isanti counties; twenty-sixth district, Buchanan, Carlton, St. Louis, Lake and Itasca counties.

11.

The counties of Brown, Stearns, Todd, Cass, Pembina and Renville, as applied in the preceding section, shall not be deemed to include any territory west of the State line, but shall be deemed to include all counties and parts of counties east of said line as were created out of the territory of either at the last session of the Legislature.

MISSISSIPPI.**255. XIII.**

The number of senators shall be forty-five and are apportioned as follows:

First—The counties of Hancock, Harrison and Jackson shall constitute the first district, and elect one senator.

Second—The counties of Wayne, Jones, Perry and Greene the second district, and elect one senator.

Third—The counties of Jasper and Clarke the third district, and elect one senator.

Fourth—The counties of Simpson, Covington, Marion and Pearl River the fourth district, and elect one senator.

Fifth—The counties of Rankin and Smith the fifth district, and elect one senator.

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Sixth—The counties of Pike and Franklin the sixth district, and elect one senator.

Seventh—The counties of Amite and Wilkinson the seventh district, and elect one senator.

Eighth—The counties of Lincoln and Lawrence the eighth district, and elect one senator.

Ninth—The county of Adams the ninth district, and elect one senator.

Tenth—The counties of Claiborne and Jefferson the tenth district, and elect one senator.

Eleventh—The county of Copiah the eleventh district, and elect one senator.

Twelfth—The counties of Hinds and Warren the twelfth district, and elect one senator each and a senator between them, to be chosen from the counties alternately, beginning with Hinds.

Thirteenth—The counties of Scott and Newton the thirteenth district, and elect one senator.

Fourteenth—The county of Lauderdale the fourteenth district, and elect one senator.

Fifteenth—The counties of Kemper and Winston the fifteenth district, and elect one senator.

Sixteenth—The county of Noxubee the sixteenth district, and elect one senator.

Seventeenth—The counties of Leake and Neshoba the seventeenth district, and elect one senator.

Eighteenth—The county of Madison the eighteenth district, and elect one senator.

Nineteenth—The county of Yazoo the nineteenth district, and elect one senator.

Twentieth—The counties of Sharkey and Issaquena the twentieth district, and elect one senator.

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Twenty-first—The county of Holmes the twenty-first district, and elect one senator.

Twenty-second—The county of Attala the twenty-second district, and elect one senator.

Twenty-third—The counties of Oktibbeha and Choctaw the twenty-third district, and elect one senator.

Twenty-fourth—The counties of Clay and Webster the twenty-fourth district, and elect one senator.

Twenty-fifth—The county of Lowndes the twenty-fifth district, and elect one senator.

Twenty-sixth—The counties of Carroll and Montgomery the twenty-sixth district, and elect one senator.

Twenty-seventh—The counties of Leflore and Tallahatchie the twenty-seventh district, and elect one senator.

Twenty-eighth—The counties of Yallobusha and Grenada the twenty-eighth district, and elect one senator.

Twenty-ninth—The counties of Washington and Sunflower the twenty-ninth district; the county of Washington shall elect one senator, and the counties of Washington and Sunflower a senator between them.

Thirtieth—The county of Bolivar the thirtieth district, and elect one senator.

Thirty-first—The counties of Chickasaw, Calhoun and Pontotoc the thirty-first district, and elect two senators; both senators shall at no time be chosen from the same county.

Thirty-second—The county of Lafayette the thirty-second district, and elect one senator.

Thirty-third—The county of Panola the thirty-third district, and elect one senator.

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Thirty-fourth—The counties of Coahoma, Tunica and Quitman the thirty-fourth district, and elect one senator.

Thirty-fifth—The county of De Soto the thirty-fifth district, and elect one senator.

Thirty-sixth—The counties of Union, Tippah, Benton, Marshall and Tate the thirty-sixth district, and elect three senators. The counties of Tate and Benton shall be entitled to one; the counties of Union and Tippah one, and the county of Marshall one.

Thirty-seventh—The counties of Tishomingo, Alcorn and Prentiss the thirty-seventh district, and elect one senator.

Thirty-eighth—The counties of Monroe, Lee and Itawamba the thirty-eighth district, and elect two senators, one of whom shall be a resident of the county of Monroe and the other a resident of Lee or Itawamba counties.

MISSOURI.

5. IV.

The Senate shall consist of thirty-four members, to be chosen by the qualified voters of their respective districts for four years. For the election of Senators, the State shall be divided into convenient districts, as nearly equal in population as may be, the same to be ascertained by the last decennial census taken by the United States.

11. IV.

Until the State shall be divided into senatorial districts, in accordance with the provisions of this article, said districts shall be constituted and numbered as follows:

The first district shall be composed of the counties of Andrew, Holt, Nodaway and Atchison.

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Second district—The counties of Buchanan, DeKalb, Gentry and Worth.

Third district—The counties of Clay, Clinton and Platte.

Fourth district—The counties of Caldwell, Ray, Davies and Harrison.

Fifth district—The counties of Livingston, Grundy, Mercer and Carroll.

Sixth district—The counties of Linn, Sullivan, Putnam and Charlton.

Seventh district—The counties of Randolph, Howard and Monroe.

Eighth district—The counties of Adair, Macon and Schuyler.

Ninth district—The counties of Audrian, Boone and Callaway.

Tenth district—The counties of St. Charles and Warren.

Eleventh district—The counties of Pike, Lincoln and Montgomery.

Twelfth district—The counties of Lewis, Clark, Scotland and Knox.

Thirteenth district—The counties of Marion, Shelby and Ralls.

Fourteenth district—The counties of Bates, Cass and Henry.

Fifteenth district—The county of Jackson.

Sixteenth district—The counties of Vernon, Barton, Jasper, Newton and McDonald.

Seventeenth district—The counties of Lafayette and Johnson.

Eighteenth district—The counties of Greene, Lawrence, Barry, Stone and Christian.

Nineteenth district—The counties of Saline, Pettis and Benton.

Twentieth district—The counties of Polk, Hickory, Dallas, Dade, Cedar and St. Clair.

Twenty-first district—The counties of Laclede, Webster, Wright, Texas, Douglas, Taney, Ozark and Howell.

Twenty-second district—The counties of Phelps, Miller, Maries,

Sec. Art.

Camden, Pulaski, Crawford and Dent.

Twenty-third district—The counties of Cape Girardeau, Mississippi, New Madrid, Pemiscot, Dunklin, Stoddard and Scott.

Twenty-fourth district—The counties of Iron, Madison, Bollinger, Wayne, Butler, Reynolds, Carter, Ripley, Oregon and Shannon.

Twenty-fifth district—The counties of Franklin, Gasconade and Osage.

Twenty-sixth district—The counties of Washington, Jefferson, St. Francois, Ste. Genevieve and Perry.

St. Louis county shall be divided into seven districts, numbered, respectively, as follows:

Twenty-seventh, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Thirty-third and Thirty-fourth.

Twenty-eighth district—The counties of Cooper, Moniteau, Morgan and Cole.

MONTANA.

5. VI.

The Senatorial districts of the State shall be constituted and numbered as follows:

The county of Beaverhead shall constitute the first district and be entitled to one Senator.

The county of Madison shall constitute the second district and be entitled to one Senator.

The county of Gallatin shall constitute the third district and be entitled to one Senator.

The county of Jefferson shall constitute the fourth district and be entitled to one Senator.

The county of Deer Lodge shall constitute the fifth district and be entitled to one Senator.

The county of Missoula shall constitute the sixth district and be entitled to one Senator.

The county of Lewis and Clark

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shall constitute the seventh district and be entitled to one Senator.

The county of Choteau shall constitute the eighth district and be entitled to one Senator.

The county of Meagher shall constitute the ninth district and be entitled to one Senator.

The county of Silver Bow shall constitute the tenth district and be entitled to one Senator.

The county of Custer shall constitute the eleventh district and be entitled to one Senator.

The county of Yellowstone shall constitute the twelfth district and be entitled to one Senator.

The county of Dawson shall constitute the thirteenth district and be entitled to one Senator.

The county of Fergus shall constitute the fourteenth district and be entitled to one Senator.

The county of Park shall constitute the fifteenth district and be entitled to one Senator.

The county of Cascade shall constitute the sixteenth district and be entitled to one Senator.

NEBRASKA.**4. IV.**

Until otherwise provided by law Senatorial districts shall be formed and apportioned as follows:

District No. 1 shall consist of the county of Richardson, and be entitled to two Senators.

District No. 2 shall consist of the county of Nemaha, and be entitled to two Senators.

District No. 3 shall consist of the county of Otoe, and be entitled to two Senators.

District No. 4 shall consist of the county of Cass, and be entitled to one Senator.

District No. 5 shall consist of the county of Douglas, and be entitled to two Senators.

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District No. 6 shall consist of the counties of Douglas and Sarpy, and be entitled to one Senator.

District No. 7 shall consist of the county of Washington, and be entitled to one Senator.

District No. 8 shall consist of the county of Dodge, and be entitled to one Senator.

District No. 9 shall consist of the county of Cuming, and be entitled to one Senator.

District No. 10 shall consist of the counties of Burt and Dakota, and be entitled to one Senator.

District No. 11 shall consist of the counties of Madison, Stanton, Wayne, Pierce, Antelope and Boone, and be entitled to one Senator.

District No. 12 shall consist of the counties of Dixon, Cedar, Knox, Holt and the unorganized territory west of Holt, and be entitled to one Senator.

District No. 13 shall consist of the counties of Hall, Howard, Merrick, Greeley and the unorganized territory north of Greeley, and be entitled to one Senator.

District No. 14 shall consist of the counties of Platte and Colfax, and be entitled to one Senator.

District No. 15 shall consist of the counties of Butler and Polk, and be entitled to one Senator.

District No. 16 shall consist of the county of Saunders, and be entitled to one Senator.

District No. 17 shall consist of the county of Lancaster, and be entitled to two Senators.

District No. 18 shall consist of the counties of Johnson and Pawnee, and be entitled to one Senator.

District No. 19 shall consist of the counties of Gage and Jefferson, and be entitled to one Senator.

District No. 20 shall consist of the county of Saline, and be entitled to one Senator.

Senate Districts.

Sec. Art.

District No. 21 shall consist of the county of Seward, and be entitled to one Senator.

District No. 22 shall consist of the counties of York and Hamilton, and be entitled to one Senator.

District No. 23 shall consist of the counties of Fillmore and Clay, and be entitled to one Senator.

District No. 24 shall consist of the counties of Adams, Webster, Nuckolls and Thayer, and be entitled to one Senator.

District No. 25 shall consist of the counties of Buffalo, Kearney, Franklin, Harlan, Phelps, Sherman, Valley and the unorganized territory west of Sherman Valley and senatorial district number thirteen (13), and be entitled to one Senator.

District No. 26 shall consist of the counties of Lincoln, Dawson, Gosper, Furnas, Red Willow, Frontier, Hitchcock, Dundy, Chase, Keith, Cheyenne and the unorganized territory west of Frontier, and between Frontier and Chase, and be entitled to one Senator.

NEVADA.

6.

Until otherwise provided by law, the apportionment of Senators and Assemblymen in the different counties shall be as follows, to wit: Storey county, four Senators and twelve Assemblymen; Douglas county, one Senator and two Assemblymen; Esmeralda county, two Senators and four Assemblymen; Humboldt county, two Senators and three Assemblymen; Lander county, two Senators and four Assemblymen; Lyon county, one Senator and three Assemblymen; Lyon and Churchill counties, one Senator, jointly; Churchill county, one Assemblyman; Ormsby county,

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two Senators and three Assemblymen; Washoe and Roop counties, two Senators and three Assemblymen.

MINNESOTA.

12.

The Senators and Representatives at the first election shall be apportioned among the several Senatorial and Representative districts as follows, to wit:

First district—Two Senators, three Representatives.

Second district—Three Senators, six Representatives.

Third district—Two Senators, five Representatives.

Fourth district—Two Senators, four Representatives.

Fifth district—Two Senators, three Representatives.

Sixth district—One Senator, four Representatives.

Eighth district—One Senator, three Representatives.

Ninth district—Two Senators, six Representatives.

Tenth district—Two Senators, three Representatives.

Eleventh district—Two Senators, four Representatives.

Twelfth district—One Senator, three Representatives.

Thirteenth district—Two Senators, three Representatives.

Fourteenth district—One Senator, three Representatives.

Fifteenth district—One Senator, four Representatives.

Sixteenth district—One Senator, three Representatives.

Seventeenth district—One Senator, three Representatives.

Eighteenth district—One Senator, three Representatives.

Nineteenth district—One Senator, three Representatives.

Twentieth district—One Senator, three Representatives.

Twenty-first district—One Senator, one Representative.

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Twenty-second district—One Senator, one Representative.

Twenty-third district—One Senator, two Representatives.

Twenty-fourth district—One Senator, one Representative.

Twenty-fifth district—One Senator, one Representative.

Twenty-sixth district—One Senator, one Representative.

Total, thirty-seven Senators, eighty Representatives.

13.

The returns from the Twenty-second district shall be made to and canvassed by the judges of election at the precinct of Otter Tail City.

NEW HAMPSHIRE.

26. II.

And, that the State may be equally represented in the Senate, the Legislature shall, from time to time, divide the State into twenty-four districts, as nearly equal as may be, without dividing towns and unincorporated places; and in making this division, they shall govern themselves by the proportion of direct taxes paid by the said districts, and timely make known to the inhabitants of the State the limits of each district.

NORTH DAKOTA.

30. III.

The senatorial districts shall be numbered consecutively from one upwards, according to the number of districts prescribed, and the Senators shall be divided into two classes. Those elected in the districts designated by even numbers shall constitute one class, and those elected in districts designated by odd numbers shall constitute the other class. The Senators of one class, elected in the year

Sec. Art.

1890, shall hold their office for two years, those of the other class shall hold their office for four years, and the determination of the two classes shall be by lot, so that one-half of the Senators, as nearly as practicable, may be elected biennially.

OHIO.

7. XI.

The State is hereby divided into thirty-three Senatorial districts, as follows: The county of Hamilton shall constitute the first Senatorial district; the counties of Butler and Warren, the second; Montgomery and Preble, the third; Clermont and Brown, the fourth; Greene, Clinton and Fayette, the fifth; Ross and Highland, the sixth; Adam, Pike, Scioto and Jackson, the seventh; Lawrence, Gallia, Meigs and Vinton, the eighth; Athens, Hocking and Fairfield, the ninth; Franklin and Pickaway, the tenth; Clark, Champaign and Madison, the eleventh; Miami, Darke and Shelby, the twelfth; Logan, Union, Marion and Hardin, the thirteenth; Washington and Morgan, the fourteenth; Muskingum and Perry, the fifteenth; Delaware and Licking, the sixteenth; Knox and Morrow, the seventeenth; Coshocton and Tuscarawas, the eighteenth; Guernsey and Monroe, the nineteenth; Belmont and Harrison, the twentieth; Carroll and Stark, the twenty-first; Jefferson and Columbiana, the twenty-second; Trumbull and Mahoning, the twenty-third; Ashtabula, Lake and Geauga, the twenty-fourth; Cuyahoga, the twenty-fifth; Portage and Summit, the twenty-sixth; Medina and Lorain, the twenty-seventh; Wayne and Holmes, the twenty-eighth; Ash-

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land and Richland, the twenty-ninth; Huron, Erie, Sandusky and Ottawa, the thirtieth; Seneca, Crawford and Wyandot, the thirty-first; Mercer, Auglaize, Allen, Van Wert, Paulding, Defiance and Williams, the thirty-second; and Hancock, Wood, Lucas, Fulton, Henry and Putnam, the thirty-third. For the first decennial period of the adoption of this Constitution each of said districts shall be entitled to one Senator, except the first district, which shall be entitled to three Senators.

PENNSYLVANIA.

16. II.

The State shall be divided into fifty Senatorial districts of compact and contiguous territory as nearly equal in population as may be, and each district shall be entitled to one Senator. Each county containing one or more ratios of population shall be entitled to one Senator for each ratio, and to an additional Senator for a surplus of population exceeding three-fifths of a ratio, but no county shall form a separate district unless it shall contain four-fifths of a ratio, except where the adjoining counties are each entitled to one or more Senators; when such county may be assigned a Senator on less than four-fifths and exceeding one-half of a ratio; and no county shall be divided unless entitled to two or more Senators. No city or county shall be entitled to separate representation exceeding one-sixth of the whole number of Senators. No ward, borough or township shall be divided in the formation of a district. The Senatorial ratio shall be ascertained by dividing the whole

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population of the State by the number fifty.

SOUTH CAROLINA.

8. XI.

The Senate shall be composed of one member from each county, to be elected for the term of four years by the qualified voters of the State, in the same manner in which members of the House of Representatives are chosen, except the county of Charleston, which shall be allowed two Senators.

SOUTH DAKOTA.

2. IX.

Until otherwise provided by law, the Senatorial and Representative districts shall be formed and the Senators and Representatives shall be apportioned as follows:

District No. 1 shall consist of the county of Union and be entitled to one Senator.

District No. 2 shall consist of the county of Clay and be entitled to one Senator.

District No. 3 shall consist of the county of Yankton and be entitled to one Senator.

District No. 4 shall consist of the county of Bon Homme and be entitled to one Senator.

District No. 5 shall consist of the county of Lincoln and be entitled to one Senator.

District No. 6 shall consist of the county of Turner and be entitled to one Senator.

District No. 7 shall consist of the county of Hutchinson and be entitled to one Senator.

District No. 8 shall consist of the counties of Charles Mix and Douglas and be entitled to one Senator.

District No. 9 shall consist of the county of Minnehaha and be entitled to two Senators.

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- District No. 10 shall consist of the county of McCook and be entitled to one Senator.
- District No. 11 shall consist of the county of Hanson and be entitled to one Senator.
- District No. 12 shall consist of the county of Davison and be entitled to one Senator.
- District No. 13 shall consist of the county of Aurora and be entitled to one Senator.
- District No. 14 shall consist of the county of Brule and be entitled to one Senator.
- District No. 15 shall consist of the county of Moody and be entitled to one Senator.
- District No. 16 shall consist of the county of Lake and be entitled to one Senator.
- District No. 17 shall consist of the county of Miner and be entitled to one Senator.
- District No. 18 shall consist of the county of Sanborn and be entitled to one Senator.
- District No. 19 shall consist of the counties of Jerauld and Buffalo and be entitled to one Senator.
- District No. 20 shall consist of the county of Brookings and be entitled to one Senator.
- District No. 21 shall consist of the county of Kingsbury and be entitled to one Senator.
- District No. 22 shall consist of the county of Beadle and be entitled to one Senator.
- District No. 23 shall consist of the county of Hand and be entitled to one Senator.
- District No. 24 shall consist of the counties of Hyde and Hughes and be entitled to one Senator.
- District No. 25 shall consist of the counties of Sully and Potter and be entitled to one Senator.
- District No. 26 shall consist of the county of Deuel and be entitled to one Senator.

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- District No. 27 shall consist of the county of Hamlin and be entitled to one Senator.
- District No. 28 shall consist of the county of Codington and be entitled to one Senator.
- District No. 29 shall consist of the county of Clark and be entitled to one Senator.
- District No. 30 shall consist of the county of Spink and be entitled to two Senators.
- District No. 31 shall consist of the counties of Grant and Roberts and be entitled to one Senator.
- District No. 32 shall consist of the county of Day and be entitled to one Senator.
- District No. 33 shall consist of the county of Brown and be entitled to two Senators.
- District No. 34 shall consist of the county of Marshall and be entitled to one Senator.
- District No. 35 shall consist of the county of Faulk and be entitled to one Senator.
- District No. 36 shall consist of the counties of Edmunds and McPherson and be entitled to one Senator.
- District No. 37 shall consist of the counties of Walworth and Campbell and be entitled to one Senator.
- District No. 38 shall consist of the county of Lawrence and be entitled to two Senators.
- District No. 39 shall consist of the county of Pennington and be entitled to one Senator.
- District No. 40 shall consist of the counties of Meade and Butte and be entitled to one Senator.
- District No. 41 shall consist of the county of Custer and be entitled to one Senator.

VIRGINIA.

4. V.

An apportionment of Senators and members of the House of

Senate Districts.

Sec. Art.

Delegates shall be made at the regular session of the General Assembly next preceding the Tuesday after the first Monday in November, eighteen hundred and seventy-nine, or sooner. A reapportionment shall be made in the year eighteen hundred and ninety-one, and every tenth year thereafter.

WASHINGTON.1. **XXII.**

Until otherwise provided by law, the State shall be divided into twenty-four (24) Senatorial districts, and said districts shall be constituted and numbered as follows: The counties of Stevens and Spokane shall constitute the first district, and be entitled to one Senator; the county of Spokane shall constitute the second district, and be entitled to three Senators; the county of Lincoln shall constitute the third district, and be entitled to one Senator; the counties of Okanogan, Lincoln, Adams and Franklin shall constitute the fourth district, and be entitled to one Senator; the county of Whitman shall constitute the fifth district, and be entitled to three Senators; the counties of Garfield and Asotin shall constitute the sixth district, and be entitled to one Senator; the county of Columbia shall constitute the seventh district, and be entitled to one Senator; the county of Walla Walla shall constitute the eighth district, and be entitled to two Senators; the counties of Yakima and Douglas shall constitute the ninth district, and be entitled to one Senator; the county of Kittitas shall constitute the tenth district, and be entitled to one Senator; the counties of Klickitat and Skamania shall

Sec. Art.

constitute the eleventh district, and be entitled to one Senator; the county of Clarke shall constitute the twelfth district, and be entitled to one Senator; the county of Cowlitz shall constitute the thirteenth district, and be entitled to one Senator; the county of Lewis shall constitute the fourteenth district, and be entitled to one Senator; the counties of Pacific and Wahkiakum shall constitute the fifteenth district, and be entitled to one Senator; the county of Thurston shall constitute the sixteenth district, and be entitled to one Senator; the county of Chehalis shall constitute the seventeenth district, and be entitled to one Senator; the county of Pierce shall constitute the eighteenth district, and be entitled to three Senators; the county of King shall constitute the nineteenth district, and be entitled to five Senators; the counties of Mason and Kitsap shall constitute the twentieth district, and be entitled to one Senator; the counties of Jefferson, Clallam and San Juan shall constitute the twenty-first district, and be entitled to one Senator; the county of Snohomish shall constitute the twenty-second district, and shall be entitled to one Senator; the counties of Skagit and Island shall constitute the twenty-third district, and be entitled to one Senator; the county of Whatcom shall constitute the twenty-fourth district, and be entitled to one Senator.

WEST VIRGINIA.5. **VI.**

Until the senatorial districts shall be altered by the Legislature as herein prescribed, the counties of Hancock, Brooke and Ohio, shall

Senate Districts.

Sec. Art.

constitute the first senatorial district; Marshall, Wetzel and Marion, the second; Ritchie, Doddridge, Harrison, Gilmer and Calhoun, the third; Tyler, Pleasants, Wood and Wirt, the fourth; Jackson, Mason, Putnam and Roane, the fifth; Kanawha, Clay, Nicholas, Braxton and Webster, the sixth; Cabell, Wayne, Lincoln, Boone, Logan, Wyoming, McDowell and Mercer, the seventh; Monroe, Greenbrier, Summers, Pocahontas, Fayette and Raleigh, the eighth; Lewis, Randolph, Upshur, Barbour, Taylor and Tucker, the ninth; Preston and Monongalia, the tenth; Hampshire, Mineral, Hardy, Grant and Pendleton, the eleventh; Berkeley, Morgan and Jefferson, the twelfth.

8. VI.

Until a new apportionment shall be declared, the counties of Pleasants and Wood shall form the first delegate district, and elect three Delegates; Ritchie and Calhoun the second, and elect two Delegates; Barbour, Harrison and Taylor the third, and elect one Delegate; Randolph and Tucker the fourth, and elect one Delegate; Nicholas, Clay and Webster the fifth, and elect one Delegate; McDowell and Wyoming the sixth, and elect one Delegate.

9. VI.

Until a new apportionment shall be declared, the apportionment of Delegates to the counties not included in delegate districts, and to Barbour, Harrison and Taylor counties, embraced in such districts, shall be as follows:

To Barbour, Boone, Braxton, Cabell, Doddridge, Fayette, Hampshire, Hancock, Jackson, Lewis, Logan, Greenbrier, Monroe, Mer-

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cer, Mineral, Morgan, Grant, Hardy, Lincoln, Pendleton, Putnam, Roane, Gilmer, Taylor, Tyler, Upshur, Wayne, Wetzel, Wirt, Pocahontas, Summers and Raleigh counties, one Delegate each.

To Berkeley, Harrison, Jefferson, Marion, Marshall, Mason, Monongalia and Preston counties, two Delegates each.

To Kanawha county, three Delegates.

To Ohio county, four Delegates.

WISCONSIN.

5. IV.

The Senators shall be elected by single districts of convenient contiguous territory, at the same time and in the same manner as members of the Assembly are required to be chosen, and no Assembly district shall be divided in the formation of a Senate district. The Senate districts shall be numbered in the regular series, and the Senators shall be chosen alternately from the odd and even numbered districts. The Senators elected, or holding over at the time of the adoption of this amendment, shall continue in office till their successors are duly elected and qualified; and after the adoption of this amendment, all Senators shall be chosen for the term of four years.

12. XIV.

Until there shall be a new apportionment, the Senators and members of the Assembly shall be apportioned among the several districts, as hereinbefore mentioned, and each district shall be entitled to elect one Senator or member of the Assembly, as the case may be.

The counties of Brown, Calumet, Manitowoc and Sheboygan shall

Senate Districts.

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constitute the first Senate district.

The counties of Columbia, Marquette, Portage and Sauk shall constitute the second Senate district.

The counties of Crawford, Chippewa, St. Croix and La Pointe shall constitute the third Senate district.

The counties of Fon du Lac and Winnebago shall constitute the fourth Senate district.

The counties of Iowa and Richland shall constitute the fifth Senate district.

The county of Grant shall constitute the sixth Senate district.

The county of La Fayette shall constitute the seventh Senate district.

The county of Green shall constitute the eighth Senate district.

The county of Dane shall constitute the ninth Senate district.

The county of Dodge shall constitute the tenth Senate district.

The county of Washington shall constitute the eleventh Senate district.

The county of Jefferson shall constitute the twelfth Senate district.

The county of Waukesha shall constitute the thirteenth Senate district.

The county of Walworth shall constitute the fourteenth Senate district.

The county of Rock shall constitute the fifteenth Senate district.

The towns of Southport, Pike, Pleasant Prairie, Paris, Bristol, Brighton, Salem and Wheatland, in the county of Racine, shall

Sec. Art.

constitute the sixteenth Senate district.

The towns of Racine, Caledonia, Mount Pleasant, Raymond, Norway, Rochester, Yorkville and Burlington, in the county of Racine, shall constitute the seventeenth Senate district.

The third, fourth and fifth wards of the city of Milwaukee, and the towns of Lake, Oak Creek, Franklin and Greenfield, in the county of Milwaukee, shall constitute the eighteenth Senate district.

The first and second wards of the city of Milwaukee, and the towns of Milwaukee, Wauwatosa and Granville, in the county of Milwaukee, shall constitute the nineteenth Senate district.

WYOMING.

4. III.

Until an apportionment of Senators and Representatives is otherwise provided by law, they shall be divided among the counties of the State in the following manner:

Albany county, two Senators and five Representatives.

Carbon county, two Senators and five Representatives.

Converse county, one Senator and three Representatives.

Crook county, one Senator and two Representatives.

Fremont county, one Senator and two Representatives.

Laramie county, three Senators and six Representatives.

Johnson county, one Senator and two Representatives.

Sheridan county, one Senator and two Representatives.

Sweetwater county, two Senators and three Representatives.

Uinta county, two Senators and three Representatives.

**ENUMERATION TO BE TAKEN EVERY TEN YEARS—SENATE
DISTRICTS NOT ALTERED.**

1 Sec. 4. An enumeration of the inhabitants of the State
2 shall be taken under the direction of the Secretary of State,
3 during the months of May and June, in the year one thou-
4 sand nine hundred and five, and in the same months every
5 tenth year thereafter; and the said districts shall be so altered
6 by the Legislature at the first regular session after the return
7 of every enumeration, that each Senate district shall contain
8 as nearly as may be an equal number of inhabitants, excluding
9 aliens, and be in as compact form as practicable, and shall
10 remain unaltered until the return of another enumeration, and
11 shall at all times, consist of contiguous territory, and no county
12 shall be divided in the formation of a Senate district except to
13 make two or more Senate districts wholly in such county.
14 No town, and no block in a city enclosed by streets or public
15 ways, shall be divided in the formation of Senate districts;
16 nor shall any district contain a greater excess in population
17 over an adjoining district in the same county, than the popu-
18 lation of a town or block therein adjoining such district.
19 Counties, towns or blocks which, from their location, may be
20 included in either of two districts, shall be so placed as to
21 make said districts most nearly equal in number of inhabitants,
22 excluding aliens.

 Enumeration to be Taken Every Ten Years, etc.

23 No county shall have four or more Senators unless it shall
 24 have a full ratio for each Senator. No county shall have more
 25 than one-third of all the Senators; and no two counties or the
 26 territory thereof as now organized, which are adjoining coun-
 27 ties, or which are separated only by public waters, shall have
 28 more than one-half of all the Senators.

29 The ratio for apportioning Senators shall always be obtained
 30 by dividing the number of inhabitants, excluding aliens, by
 31 fifty, and the Senate shall always be composed of fifty mem-
 32 bers, except that if any county having three or more Senators
 33 at the time of any apportionment shall be entitled on such
 34 ratio to an additional Senator or Senators, such additional
 35 Senator or Senators shall be given to such county in addition
 36 to the fifty Senators, and the whole number of Senators shall
 37 be increased to that extent.

Sec. Art.

ALABAMA.**4. IX.**

It shall be the duty of the General Assembly at its first session after the taking of the decennial census of the United States in the year eighteen hundred and eighty, and after each subsequent decennial census, to fix by law the number of Senators and to divide the State into as many senatorial districts as there are Senators, which districts shall be as nearly equal to each other in the number of inhabitants as may be, and each shall be entitled to one Senator and no more; and which districts when

Sec. Art.

formed, shall not be changed until the next apportioning session of the General Assembly after the next decennial census of the United States shall have been taken. No county shall be divided between two districts, and no district shall be made of two or more counties not contiguous to each other.

5. IX.

Should the decennial census of the United States, from any cause, not be taken, or if when taken, the same as to this State is not full and satisfactory, the General Assembly shall have power,

Enumeration to be Taken Every Ten Years, etc.

Sec. Art.

at its first session after the time shall have elapsed for the taking of said census, to provide for an enumeration of all the inhabitants of this State, and once in ten years thereafter, upon which it shall be the duty of the General Assembly to make the apportionment of Representatives and Senators as provided for in this article.

CALIFORNIA.

6. IV.

For the purpose of choosing members of the Legislature, the State shall be divided into forty Senatorial and eighty Assembly districts, as nearly equal in population as may be, and composed of contiguous territory, to be called Senatorial and Assembly districts. Each Senatorial district shall choose one Senator, and each Assembly district shall choose one member of Assembly. The Senatorial districts shall be numbered from one to forty inclusive, in numerical order, and the Assembly districts shall be numbered from one to eighty in the same order, commencing at the northern boundary of the State and ending at the southern boundary thereof. In the formation of such districts no county, or city and county, shall be divided, unless it contains sufficient population within itself to form two or more districts, nor shall a part of any county, or of any city and county, be united with any other county, or city and county, in forming any district. The census taken under the direction of the Congress of the United States in the year one thousand eight hundred and eighty, and every ten years thereafter, shall be the basis of fixing and adjusting

Sec. Art.

the legislative districts; and the Legislature shall, at its first session after each census, adjust such districts and reapportion the representation so as to preserve them as near equal in population as may be. But in making such adjustment no persons who are not eligible to become citizens of the United States, under the naturalization laws, shall be counted as forming a part of the population of any district. Until such districting as herein provided for shall be made, Senators and Assemblymen shall be elected by the districts according to the apportionment now provided by law.

27. IV.

When a congressional district shall be composed of two or more counties, it shall not be separated by any county belonging to another district. No county, or city and county, shall be divided in forming a congressional district so as to attach one portion to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more congressmen; but the Legislature may divide any county, or city and county, into as many congressional districts as it may be entitled to by law. Any county, or city and county, containing a population greater than the number required for one congressional district, shall be formed into one or more congressional districts, according to the population thereof, and any residue, after forming such district or districts, shall be attached by compact adjoining assembly districts, to a contiguous county or counties, and form

Enumeration to be Taken Every Ten Years, etc.

Sec. Art.

a congressional district. In dividing a county, or city and county, into congressional districts, no assembly district shall be divided so as to form a part of more than one congressional district, and every such congressional district shall be composed of compact, contiguous assembly districts.

COLORADO.

45. V.

The General Assembly shall provide by law for an enumeration of the inhabitants of the State in the year of our Lord 1885, and every tenth year thereafter; and at the session next following such enumeration, and also at the session next following an enumeration made by the authority of the United States, shall revise and adjust the apportionment for Senators and Representatives on the basis of such enumeration, according to ratios to be fixed by law.

47. V.

Senatorial and Representative districts may be altered from time to time, as public convenience may require. When a senatorial or representative district shall be composed of two or more counties, they shall be contiguous, and the district as compact as may be. No county shall be divided in the formation of a senatorial or representative district.

DELAWARE.

2. II.

There shall be seven Representatives chosen in each county, until a greater number of Representatives shall by the General Assembly be judged necessary; and then, two-thirds of each branch of the Legislature concurring,

Sec. Art.

they may by law make provision for increasing their number.

FLORIDA.

3. VII.

The Legislature that shall meet A. D. 1887, and those that shall meet every ten years thereafter, shall apportion the representation in the Senate, the whole number of Senators not to exceed thirty-two members; and at the same time shall also apportion the representation in the House of Representatives, the whole number of Representatives not to exceed sixty-eight members. The representation in the House of Representatives shall be apportioned among the several counties as nearly as possible according to population: Provided, Each county shall have one representative at large in the House of Representatives, and no county shall have more than three Representatives.

5. VII.

The Legislature shall provide for an enumeration of all the inhabitants of the State by counties for the year 1895, and every ten years thereafter.

IDAHO.

4. III.

The members of the first Legislature shall be apportioned to the several legislative districts of the State in proportion to the number of votes polled at the first general election for delegate to congress, and thereafter to be apportioned as may be provided by law; Provided, Each county shall be entitled to one representative.

5. III.

A senatorial or representative district, when more than one county shall constitute the same, shall be composed of contiguous coun-

Enumeration to be Taken Every Ten Years, etc.

Sec. Art.

ties, and no county shall be divided in creating such districts.

ILLINOIS.

6. IV.

The General Assembly shall apportion the State every ten years, beginning with the year one thousand eight hundred and seventy-one, by dividing the population of the State, as ascertained by the Federal census, by the number fifty-one, and the quotient shall be the ratio of representation in the Senate. The State shall be divided into fifty-one Senatorial districts, each of which shall elect one Senator, whose term of office shall be four years. The Senators elected in the year of our Lord one thousand eight hundred and seventy-two, in districts bearing odd numbers, shall vacate their offices at the end of two years, and those elected in districts bearing even numbers at the end of four years; and vacancies occurring by the expiration of term shall be filled by the election of Senators for the full term. Senatorial districts shall be formed of contiguous and compact territory, bounded by county lines, and contain as near as practicable an equal number of inhabitants; but no district shall contain less than four-fifths of the Senatorial ratio. Counties containing not less than the ratio and three-fourths may be divided into separate districts, and shall be entitled to two Senators, and to one additional Senator for each number of inhabitants equal to the ratio contained by such counties in excess of twice the number of said ratio.

7. IV.

The population of the State, as

Sec. Art.

ascertained by the Federal census, shall be divided by the number one hundred and fifty-three, and the quotient shall be the ratio of representation in the House of Representatives. Every county or district shall be entitled to one Representative, when its population is three-fifths of the ratio; if any county has less than three-fifths of the ratio, it shall be attached to the adjoining county having the least population, to which no other county has, for the same reason, been attached, and the two shall constitute a separate district. Every county or district having a population not less than the ratio and three-fifths, shall be entitled to two Representatives, and for each additional number of inhabitants, equal to the ratio, one Representative. Counties having over two hundred thousand inhabitants, may be divided into districts, each entitled to not less than three nor more than five Representatives. After the year one thousand eight hundred and eighty, the whole population shall be divided by the number one hundred and fifty-nine, and the quotient shall be the ratio of representation in the House of Representatives for the ensuing ten years, and six additional Representatives shall be added for every five hundred thousand increase of population at each decennial census thereafter, and be apportioned in the same manner as above provided.

INDIANA.

4. IV.

The General Assembly shall, at its second session after the adoption of this Constitution, and every sixth year thereafter, cause an enumeration to be

Enumeration to be Taken Every Ten Years, etc.

Sec. Art

made of all the male inhabitants over the age of twenty-one years.

5. IV.

The number of Senators and Representatives shall, at the session next following each period of making such enumeration, be fixed by law, and apportioned among the several counties, according to the number of white male inhabitants, above twenty-one years of age, in each: Provided, That the first and second elections of members of the General Assembly, under this Constitution, shall be according to the apportionment last made by the General Assembly, before the adoption of this Constitution.

6. IV.

A senatorial or representative district, where more than one county shall constitute a district, shall be composed of contiguous counties; and no county, for senatorial apportionment, shall ever be divided.

83. III.

IOWA.

The General Assembly shall, in the years one thousand eight hundred and fifty-nine, one thousand eight hundred and sixty-three, one thousand eight hundred and sixty-five, one thousand eight hundred and sixty-seven, one thousand eight hundred and sixty-nine, and one thousand eight hundred and seventy-five, and every ten years thereafter, cause an enumeration to be made of all the (white) inhabitants of the State.

(Amended by striking out the word "white" at the general election in 1868.)

34. III.

The number of Senators shall, at the next session following each

Sec. Art.

period of making such enumeration, and the next session following each United States census, be fixed by law, and apportioned among the several counties, according to the number of (white) inhabitants in each.

(Amended by striking out the word "white" at the general election in 1868.)

KANSAS.

26. II.

The Legislature shall provide for taking an enumeration of the inhabitants of the State at least once in ten years. The first enumeration shall be taken in A. D. 1865.

LOUISIANA.

17.

The General Assembly, in every year in which they shall apportion representation in the House of Representatives, shall divide the State into senatorial districts. No parish shall be divided in the formation of a senatorial district, the parish of Orleans excepted. Whenever a new parish shall be created, it shall be attached to the senatorial district from which most of its territory was taken, or to another contiguous district, at the discretion of the General Assembly, but shall not be attached to more than one district. The number of Senators shall not be more than thirty-six nor less than twenty-four, and they shall be apportioned among the senatorial districts according to the total population contained in the several districts.

MARYLAND.

2. III.

Each county in this State, and each of the three legislative districts of Baltimore city, as

Enumeration to be Taken Every Ten Years, etc.

Sec. Art.

they are now, or may hereafter be defined, shall be entitled to one Senator, who shall be elected by the qualified voters of the counties, and of the legislative districts of Baltimore city, respectively, and shall serve for four years from the date of his election, subject to the classification of Senators hereafter provided for.

3. III.

Until the taking and publishing of the next national census, or until the enumeration of the population of this State, under the authority thereof, the several counties, and the city of Baltimore, shall have representation in the House of Delegates as follows: Allegany county, five Delegates; Anne Arundel county, three Delegates; Baltimore county, six Delegates; each of the three legislative districts of the city of Baltimore, six Delegates; Calvert county, two Delegates; Caroline county, two Delegates; Carroll county, four Delegates; Cecil county, four Delegates; Charles county, two Delegates; Dorchester county, three Delegates; Frederick county, six Delegates; Hartford county, four Delegates; Howard county, two Delegates; Kent county, two Delegates; Montgomery county, three Delegates; Prince George's county, three Delegates; Queen Anne's county, two Delegates; Saint Mary's county, two Delegates; Somerset county, three Delegates; Talbot county, two Delegates; Washington county, five Delegates; and Worcester county, three Delegates. (This representation has been since changed, as follows, viz: Allegany, four Delegates; Anne Arundel county, four Delegates; Cecil, three Delegates; Charles,

Sec. Art.

three Delegates; Frederick, five Delegates; Garrett, two Delegates; Queen Anne's, three Delegates; Talbot, three Delegates; Washington, four Delegates; Wicomico, three Delegates. The others are unchanged.)

4. III.

As soon as may be after the taking and publishing of the next national census, or after the enumeration of the population of this State, under the authority thereof, there shall be an apportionment of representation in the House of Delegates, to be made on the following basis, to-wit: Each of the several counties of the State having a population of eighteen thousand souls, or less, shall be entitled to two Delegates; and every county having a population of over eighteen thousand, and less than twenty-eight thousand souls, shall be entitled to three Delegates; and every county having a population of twenty-eight thousand and less than forty thousand souls, shall be entitled to four Delegates; and every county having a population of forty thousand and less than fifty-five thousand souls shall be entitled to five Delegates; and every county having a population of fifty-five thousand souls and upwards shall be entitled to six Delegates, and no more; and each of the three legislative districts of the city of Baltimore shall be entitled to the number of Delegates to which largest county shall or may be entitled, under the foregoing apportionment. And the General Assembly shall have power to provide by law from time to time, for altering and changing the boundaries of the three existing legislative districts of the city of

Enumeration to be Taken Every Ten Years, etc.

Sec. Art.

Baltimore, so as to make them, as near as may be, of equal population; but said districts shall always consist of contiguous territory.

MASSACHUSETTS.

Art. XII. (In order to provide for a representation of the citizens of this Commonwealth, founded upon the principles of equality, a census of the ratable polls, in each city, town and district of the Commonwealth, on the first day of May, shall be taken, and returned into the secretary's office, in such manner as the Legislature shall provide, within the month of May, in the year of our Lord, one thousand eight hundred and thirty-seven, and in every tenth year thereafter, in the month of May, in manner aforesaid; and each town or city having three hundred ratable polls at the last preceding decennial census of polls, may elect one Representative, and for every four hundred and fifty ratable polls in addition to the first three hundred, one Representative more.

Any town having less than three hundred ratable polls shall be represented thus: The whole number of ratable polls, at the last preceding decennial census of polls, shall be multiplied by ten, and the product divided by three hundred; and such town may elect one representative as many years within ten years, as three hundred is contained in the product aforesaid.

Any city or town having ratable polls enough to elect one or more Representatives, with any number of polls beyond the necessary number, may be represented, as to that surplus number, by multiplying such surplus number by

Sec. Art.

ten and dividing the product by four hundred and fifty, and such city or town may elect one additional Representative as many years, within the ten years, as four hundred and fifty is contained in the product aforesaid.

Any two or more of the several towns and districts may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns and districts, respectively, called for that purpose, and held previous to the first day of July, in the year in which the decennial census of polls shall be taken, form themselves into a representative district to continue until the next decennial census of polls, for the election of a Representative or Representatives; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of ratable polls.

The Governor or Council shall ascertain and determine, within the months of July and August, in the year of our Lord one thousand eight hundred and foregoing principles, the number of Representatives, which each city, town and representative district is entitled to elect, and the number of years, within the period of ten years then next ensuing, that each city, town and representative district may elect an additional Representative; and where any town has not a sufficient number of polls to elect a Representative each year, then, how many years within the ten years, such town may elect a Representative; and the same shall be done once in ten years, thereafter, by the Governor and Council, and the number of ratable polls in each

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Enumeration to be Taken Every Ten Years, etc.

Sec. Art.

decennial census of polls, shall determine the number of Representatives, which each city, town and representative district may elect as aforesaid; and when the number of Representatives to be elected by each city, town or representative district is ascertained and determined as aforesaid, the Governor shall cause the same to be published forthwith for the information of the people, and that number shall remain fixed and unalterable for the period of ten years.

All the provisions of the existing Constitution inconsistent with the provisions herein contained, are hereby wholly annulled. (This article was superseded by amendments, Art. XIII, which was also superseded by amendments, Art. XXI.)

13.

(A census of the inhabitants of each city and town, on the first day of May, shall be taken, and returned into the Secretary's office, on or before the last day of June, of the year one thousand eight hundred and forty, and of every tenth year thereafter; which census shall determine the apportionment of Senators and Representatives for the term of ten years, Superseded by amendments, arts. XXI, XXII.)

The several senatorial districts now existing shall be permanent. The Senate shall consist of forty members; and in the year one thousand eight hundred and forty, and every tenth year thereafter, the Governor and counsel shall assign the number of Senators to be chosen in each district, according to the number of inhabitants in the same. But, in all cases, at least one

Sec. Art.

Senator shall be assigned to each district.

The members of the House of Representatives shall be apportioned in the following manner: every town or city containing twelve hundred inhabitants may elect one Representative; and two thousand four hundred inhabitants shall be the mean increasing number, which shall entitle it to an additional Representative.

Every town containing less than twelve hundred inhabitants shall be entitled to elect a Representative as many times within ten years as the number one hundred and sixty is contained in the number of inhabitants of said town. Such towns may also elect one representative for the year in which the valuation of estates within the Commonwealth shall be settled.

Any two or more of the several towns may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns, respectively, called for that purpose, and held before the first day of August, in the year one thousand eight hundred and forty, and every tenth year thereafter, form themselves into a Representative district, to continue for the term of ten years; and such district shall have all the rights in regard to representation, which would belong to a town containing the same number of inhabitants.

The number of inhabitants which shall entitle a town to elect one Representative, and the mean increasing number which shall entitle a town or city to elect more than one, and also the number by which the population

Enumeration to be Taken Every Ten Years, etc.

Sec. Art.

of towns not entitled to a Representative every year is to be divided, shall be increased, respectively, by one-tenth of the numbers above mentioned, whenever the population of the Commonwealth shall have increased to seven hundred and seventy thousand, and for every additional increase of seventy thousand inhabitants, the same addition of one-tenth shall be made, respectively, to the said numbers above mentioned.

In the year of each decennial census, the Governor and Council shall, before the first day of September, apportion the number of Representatives which each city, town, and representative district is entitled to elect, and ascertain how many years, within ten years, any town may elect a Representative, which is entitled to elect one every year; and the Governor shall cause the same to be published forthwith.

Nine Councilors shall be annually chosen from among the people at large, on the first Wednesday of January, or as soon thereafter as may be, by the joint ballot of the Senators and Representatives, assembled in one room, who shall, as soon as may be, in like manner, fill up any vacancies that may happen in the council, by death, resignation, or otherwise. No person shall be elected a councilor, who has not been an inhabitant of this commonwealth for the term of five years immediately preceding his election; and not more than one councilor shall be chosen from any one senatorial district in the commonwealth. Superseded by amendments, Art. XVI.)

No possession of a freehold, or of

Sec. Art.

any other estate, shall be required as a qualification for holding a seat in either branch of the General Court, or in the executive council.

MICHIGAN.

4. IV.

The Legislature shall provide by law for an enumeration of the inhabitants in the year eighteen hundred and fifty-four, and every ten years thereafter; and at the first session after each enumeration so made and also at the first session after each enumeration by the authority of the United States, the Legislature shall rearrange the senate districts and apportion anew the Representatives among the counties and districts, according to the number of inhabitants exclusive of persons of Indian descent who are not civilized, or are members of any tribe. Each apportionment, and the division into representative districts by any board of supervisors shall remain unaltered until the return of another enumeration.

MINNESOTA.

23. IV.

The Legislature shall provide by law for an enumeration of the inhabitants of this State in the year one thousand eight hundred and sixty-five, and every tenth year thereafter. At their first session after each enumeration so made by the authority of the United States, the Legislature shall have the power to prescribe the bounds of congressional, senatorial and representative districts, and to apportion anew the Senators and Representatives among the several districts according to the provisions of section second of this article.

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24. IV.

The Senators shall be chosen by single districts of convenient contiguous territory, at the same time that members of the House of Representatives are required to be chosen, and in the same manner; and no representative district shall be divided in the formation of a senate district. The senate districts shall be numbered in a regular series. The terms of office of Senators and Representatives shall be the same as now prescribed by law until the general election in the year one thousand eight hundred and seventy-eight (1878), at which time there shall be an entire new election of all the Senators and Representatives. Representatives chosen at such election, or at any election thereafter, shall hold their office for the term of two years, except it be to fill a vacancy, and the Senators chosen at such election by districts designated as odd numbers, shall go out of office at the expiration of the second year, and Senators chosen by districts designated by even numbers shall go out of office at the expiration of the fourth year; and thereafter Senators shall be chosen for four years, except there shall be an entire new election of all the Senators at the election of Representatives next succeeding each new apportionment provided for in this article.

MISSISSIPPI.

256. XIII.

The Legislature may at the first session after the State census of 1895, and decennially thereafter, make a new apportionment of Senators and Representatives. At each apportionment, each

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county then organized shall have at least one Representative. New counties afterwards created shall be represented as may be provided by law, until the next succeeding apportionment. The counties of Tishomingo, Alcorn, Prentiss, Lee, Itawamba, Tippah, Union, Benton, Marshall, Lafayette, Pontotoc, Monroe, Chickasaw, Calhoun, Yalobusha, Grenada, Carroll, Montgomery, Choctaw, Webster, Clay, Lowndes and Oktibbeha, or the territory now composing them, shall together never have less than forty-four Representatives. The counties of Attala, Winston, Noxubee, Kemper, Leake, Neshoba, Lauderdale, Newton, Scott, Rankin, Clarke, Jasper, Smith, Simpson, Copiah, Franklin, Lincoln, Lawrence, Covington, Jones, Wayne, Greene, Perry, Marion, Pike, Pearl River, Hancock, Harrison and Jackson, or the territory now composing them, shall together never have less than forty-four Representatives; nor shall the remaining counties of the State, or the territory now composing them, ever have less than forty-four Representatives. A reduction in the number of Senators and Representatives may be made by the Legislature if the same be uniform in each of the three said divisions; but the number of Representatives shall not be less than one hundred, nor more than one hundred and thirty-three; nor the number of Senators less than thirty, nor more than forty-five.

105. XIII.

The Legislature shall provide for the enumeration of the whole number of inhabitants, and the qualified electors of the State, once in every ten years; and the

Enumeration to be Taken Every Ten Years, etc.

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first enumeration shall be made during the two months beginning on the first Monday of June, 1895, and the Legislature shall provide for the same by law.

MISSOURI.

3. IV.

When any county shall be entitled to more than one Representative, the County Court shall cause such county to be sub-divided into districts of compact and contiguous territory, corresponding in number to the Representatives to which such county is entitled, and in population as nearly equal as may be, in each of which the qualified voters shall elect one Representative, who shall be a resident of such district: Provided, That when any county shall be entitled to more than ten Representatives, the Circuit Court shall cause such county to be sub-divided into districts, so as to give each district not less than two nor more than four Representatives, who shall be residents of such district—the population of the districts to be proportioned to the number of Representatives to be elected therefrom.

7. IV.

Senators and Representatives shall be chosen according to the rule of apportionment established in this Constitution, until the next decennial census by the United States shall have been taken, and the result thereof as to this State ascertained, when the apportionment shall be revised and adjusted on the basis of that census, and every ten years thereafter upon the basis of the United States census, or if such census be not taken, or is delayed, then on the basis of a State census—

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such apportionment to be made at the first session of the General Assembly after each such census: Provided, that if at any time, or from any cause, the General Assembly shall fail or refuse to district the State for Senators, as required in this section, it shall be the duty of the Governor, Secretary of State and Attorney-General, within thirty days after the adjournment of the General Assembly upon which such duty devolved, to perform said duty, and to file in the office of the Secretary of State a full statement of the districts formed by them, including the names of the counties embraced in each district, and the numbers thereof—said statement to be signed by them, and attested by the Great Seal of the State, and upon the proclamation of the Governor, the same shall be as binding and effectual as if done by the General Assembly.

9. IV.

Senatorial and Representative districts may be altered, from time to time, as public convenience may require. When any senatorial district shall be composed of two or more counties, they shall be contiguous—such districts to be as compact as may be—and in the formation of the same no county shall be divided.

NEBRASKA.

2. III.

The Legislature shall provide by law for an enumeration of the inhabitants of the State in the year eighteen hundred and eighty-five, and every ten years thereafter; and at its first regular session after each enumeration, and also after each enumeration made by the authority of the United States, but at

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no other time, the Legislature shall apportion the Senators and Representatives according to the number of inhabitants, excluding Indians not taxed and soldiers and officers of the United States army and navy.

NEVADA.**13. XV.**

The enumeration of the inhabitants of this State shall be taken, under the direction of the Legislature, if deemed necessary, in A. D. eighteen hundred and sixty-five, A. D. eighteen hundred and sixty-seven, A. D. eighteen hundred and seventy-five, and every ten years thereafter; and these enumerations, together with the census that may be taken under the direction of the Congress of the United States, in A. D. eighteen hundred and seventy, and every subsequent ten years, shall serve as the basis of representation in both houses of the Legislature.

NEW JERSEY.**1. II.**

The General Assembly shall be composed of members annually elected by the legal voters of the counties, respectively, who shall be apportioned among the said counties as nearly as may be according to the number of their inhabitants. The present apportionment shall continue until the next census of the United States shall have been taken, and an apportionment of the members of the General Assembly shall be made by the Legislature at its first session after the next and every subsequent enumeration or census, and when made shall remain unaltered until another enumeration shall have been taken: Provided, That each county shall at all times be en-

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titled to one member; and the whole number of members shall never exceed sixty.

NORTH CAROLINA.**4. II.**

The Senate districts shall be so altered by the General Assembly, at the first session after the return of every enumeration by order of Congress, that each Senate district shall contain, as near as may be, an equal number of inhabitants, excluding aliens and Indians not taxed, and shall remain unaltered until the return of another enumeration, and shall at all times consist of contiguous territory; and no county shall be divided in the formation of a Senate district, unless such county shall be equitably entitled to two or more Senators.

NORTH DAKOTA.**29. II.**

The Legislative Assembly shall fix the number of Senators, and divide the State into as many senatorial districts as there are Senators which districts, as nearly as may be, shall be equal to each other in number of inhabitants entitled to representation. Each district shall be entitled to one Senator and no more, and shall be composed of compact and contiguous territory; and no portion of any county shall be attached to any other county, or part thereof, so as to form a district. The districts as thus ascertained and determined, shall continue until changed by law.

35. II.

The members of the House of Representatives shall be apportioned to and elected at large from each Senatorial district. The Legislative Assembly shall,

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In the year 1895, and every tenth year, cause an enumeration to be made of all the inhabitants of this State, and shall at its first regular session after each such enumeration, and also after each Federal census, proceed to fix by law the number of Senators which shall constitute the Senate of North Dakota, and the number of Representatives which shall constitute the House of Representatives of North Dakota, within the limits prescribed by this Constitution, and at the same session shall proceed to reapportion the Senate into Senatorial districts, as prescribed by this Constitution, and to fix the number of members of the House of Representatives to be elected from the several Senatorial districts: Provided, that the Legislative Assembly may, at any regular session, redistrict the State into Senatorial districts, and apportion the Senators and Representatives respectively.

OHIO.

6. XI.

The ratio for a Senator shall forever, hereafter, be ascertained, by dividing the whole population of the State by the number thirty-five.

8. XI.

The same rules shall be applied in apportioning the fractions of senatorial districts, and in annexing districts, which may hereafter have less than three-fourths of a senatorial ratio, as are applied to representative districts.

9. XI.

Any county forming part of a senatorial district having acquired a population equal to a full senatorial ratio, shall be

Sec. Art.

made a separate senatorial district, at any regular decennial apportionment, if a full senatorial ratio shall be left in the district from which it shall be taken.

11. XI.

The Governor, Auditor and Secretary of State, or any two of them, shall, at least six months prior to the October election, in the year one thousand eight hundred and sixty-one, and at each decennial period thereafter, ascertain and determine the ratio of representation, according to the decennial census, the number of Representatives and Senators each county or district shall be entitled to elect and for what years, within the next ensuing ten years, and the Governor shall cause the same to be published, in such manner as shall be directed by law.

OREGON.

5. IV.

The Legislative Assembly shall, in the year eighteen hundred and sixty-five, and every ten years after, cause an enumeration to be made of all the white population of the State.

6. IV.

The number of Senators and Representatives shall, at the session next following an enumeration of the inhabitants by the United States or this State, be fixed by law, and apportioned among the several counties according to the number of white population in each. And the ratio of Senators and Representatives shall be determined by dividing the whole number of white population of such county or district, by such respective ratios; and when a fraction shall result from such division, which shall

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exceed one-half of such ratio, such county or district shall be entitled to a member for such fraction. And in case any county shall not have the requisite population to entitle such county to a member, then such county shall be attached to some adjoining county for senatorial or representative purposes.

7. IV.

A senatorial district, when more than one county shall constitute the same, shall be composed of contiguous counties, and no county shall be divided in creating senatorial districts.

PENNSYLVANIA.

16. II.

The State shall be divided into fifty senatorial districts of compact and contiguous territory as nearly equal in population as may be, and each district shall be entitled to elect one Senator. Each county containing one or more ratios of population shall be entitled to one Senator for each ratio, and to an additional Senator for a surplus of population exceeding three-fifths of a ratio, but no county shall form a separate district unless it shall contain four-fifths of a ratio, except where the adjoining counties are each entitled to one or more Senators, when such county may be assigned a Senator on less than four-fifths and exceeding one-half of a ratio; and no county shall be divided unless entitled to two or more Senators. No city or county shall be entitled to separate representation exceeding one-sixth of the whole number of Senators. No ward, borough or township shall be divided in the formation of a district. The senatorial ratio shall be ascertained by dividing the

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whole population of the State by the number fifty.

17. II.

The members of the House of Representatives shall be apportioned among the several counties, on a ratio ascertained by dividing the population of the State as ascertained by the most recent United States census by two hundred. Every county containing less than five ratios shall have one Representative for every full ratio, and an additional Representative when the surplus exceeds half a ratio; but each county shall have at least one Representative. Every county containing five ratios or more shall have one Representative for every full ratio. Every city containing a population equal to a ratio shall elect separately its proportion of the Representatives allotted to the county in which it is located. Every city entitled to more than four Representatives, and every county having over one hundred thousand inhabitants shall be divided into districts of compact and contiguous territory, each district to elect its proportion of Representatives, according to its population, but no district shall elect more than four Representatives.

18. II.

The General Assembly at its first session after the adoption of this Constitution, and immediately after each United States decennial census, shall apportion the State into senatorial and representative districts agreeable to the provisions of the two next preceding sections.

SOUTH DAKOTA.

5. III.

The Legislature shall provide by law for the enumeration of the

Enumeration to be Taken Every Ten Years, etc.

Sec. Art.

inhabitants of the State in the year one thousand eight hundred and ninety-five, and every ten years thereafter, and at its regular session after each enumeration, and also after each enumeration made by authority of the United States, but at no other time, the Legislature shall apportion the Senators and Representatives according to the number of inhabitants, excluding Indians not taxed and soldiers and officers of the United States army and navy: Provided, That the Legislature may make an apportionment at its first session after the admission of South Dakota as a State.

TENNESSEE.**4. II.**

An enumeration of the qualified voters, and an apportionment of the Representatives in the General Assembly, shall be made in the year one thousand eight hundred and seventy-one, and within every subsequent term of ten years.

6. II.

The number of Senators shall, at the several periods of making the enumeration, be apportioned among the several counties or districts, according to the number of qualified electors in each, and shall not exceed one-third the number of Representatives. In apportioning the number of Senators among the different counties, the fraction that may be lost by any county or counties, in the apportionment of members to the House of Representatives, shall be made up to such county or counties in the Senate as near as may be practicable. When a district is composed of two or more counties, they shall be adjoining; and no

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county shall be divided in forming a district.

TEXAS.**25. III.**

The State shall be divided into senatorial districts of contiguous territory according to the number of qualified electors, as nearly as may be, and each district shall be entitled to elect one Senator, and no single county shall be entitled to more than one Senator.

28. III.

The Legislature shall, at its first session after the publication of each United States decennial census, apportion the State into senatorial and representative districts, agreeably to the provisions of sections 25 and 26 of this article; and until the next decennial census, when the first apportionment shall be made by the Legislature, the State shall be and it is hereby divided into senatorial and representative districts as provided by an ordinance of the convention on that subject.

VIRGINIA.**4. V.**

An apportionment of Senators and members of the House of Delegates shall be made at the regular session of the General Assembly next preceding the Tuesday after the first Monday in November, eighteen hundred and seventy-nine, or sooner. A reapportionment shall be made in the year eighteen hundred and ninety-one, and every tenth year thereafter.

12. V.

The whole number of members to which the State may at any time be entitled in the House of Representatives of the United States shall be apportioned,

Enumeration to be Taken Every Ten Years, etc.

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as nearly as may be, amongst the several counties, cities and towns of the State, according to their population.

13. V.

In the apportionment the State shall be divided into districts corresponding in number with the representatives to which it may be entitled in the House of Representatives of the Congress of the United States, which shall be formed, respectively, of contiguous counties, cities and towns; be compact and include, as nearly as may be, an equal number of population.

WASHINGTON.

3. II.

The Legislature shall provide by law for an enumeration of the inhabitants of the State in the year one thousand eight hundred and ninety-five and every ten years thereafter; and at the first session after such enumeration, and also after each enumeration made by the authority of the United States, the Legislature shall apportion and district anew the members of the Senate and the House of Representatives, according to the number of inhabitants, excluding Indians not taxed, soldiers, sailors and officers of the United States army and navy in active service.

WEST VIRGINIA.

4. VI.

For the election of Senators, the State shall be divided into twelve Senatorial districts, which number shall not be diminished, but may be increased as hereinafter provided. Every district shall elect two Senators, but, where the district is composed of more than one county, both shall not be chosen

Sec. Art.

from the same county. The districts shall be compact, formed of contiguous territory, bounded on county lines, and, as nearly as practicable, equal in population, to be ascertained by the census of the United States. After every such census, the Legislature shall alter the Senatorial districts, so far as may be necessary to make them conform to the foregoing provisions.

7. VI.

After every census the Delegates shall be apportioned as follows: The ratio of representation for the House of Delegates shall be ascertained by dividing the whole population of the State by the number of which the House is to consist, and rejecting the fraction of a unit, if any, resulting from such division. Dividing the population of every delegate district, and of every county not included in a delegate district, by the ratio thus ascertained, there shall be assigned to each a number of Delegates equal to the quotient obtained by this division, excluding the fractional remainder. The additional Delegates necessary to make up the number of which the house is to consist, shall then be assigned to those delegate districts and counties, not included in a delegate district, which would otherwise have the largest fractions unrepresented; but every delegate district, and county not included in a delegate district, shall be entitled to at least one delegate.

10. VI.

The arrangement of the Senatorial and Delegate districts, and apportionment of Delegates, shall hereafter be declared by law, as soon as possible after each succeeding census, taken

Enumeration to be Taken Every Ten Years, etc.

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by authority of the United States. When so declared they shall apply to the first general election for members of the Legislature to be thereafter held, and shall continue in force unchanged until such districts shall be altered, and delegates apportioned under the succeeding census.

WISCONSIN.**3. IV.**

The Legislature shall provide by law for an enumeration of the inhabitants of the State, in the year one thousand eight hundred fifty-five, and at the end of every ten years thereafter; and at their first session after such enumeration, and also for such enumeration made by the authority of the United States, the Legislature shall apportion

Sec. Art.

and district anew the members of the Senate and Assembly, according to the number of inhabitants, excluding Indians not taxed, and soldiers and officers of the United States army and navy.

WYOMING.**2. III.**

The Legislature shall provide by law for an enumeration of the inhabitants of the State in the year 1895, and every tenth year thereafter, and at the session next following such enumeration and again at the session next following an enumeration made by the authority of the United States, shall revise and adjust the apportionment for Senators and Representatives, on a basis of such enumeration according to ratios to be fixed by law.

MEMBERS OF ASSEMBLY, NUMBER OF, ETC.

1 Sec. 5. The members of the Assembly shall be chosen
2 by single districts, and shall be apportioned by the Legislature
3 at the first regular session after the return of every enumera-
4 tion among the several counties of the State, as nearly as may
5 be according to the number of their respective inhabitants,
6 excluding aliens. Every county heretofore established and
7 separately organized, except the county of Hamilton, shall
8 always be entitled to one member of Assembly, and no county
9 shall hereafter be erected unless its population shall entitle it
10 to a member. The county of Hamilton shall elect with the
11 county of Fulton, until the population of the county of Ham-
12 ilton shall, according to the ratio, entitle it to a member. But
13 the Legislature may abolish the said county of Hamilton and
14 annex the territory thereof to some other county or counties.

15 The quotient obtained by dividing the whole number of
16 inhabitants of the State, excluding aliens, by the number of
17 members of Assembly, shall be the ratio for apportionment,
18 which shall be made as follows: One member of Assembly
19 shall be apportioned to every county, including Fulton and
20 Hamilton as one county, containing less than the ratio and
21 one-half over. Two members shall be apportioned to every
22 other county. The remaining members of Assembly shall be

23 apportioned to the counties having more than two ratios
24 according to the number of inhabitants, excluding aliens.
25 Members apportioned on remainders shall be apportioned to
26 the counties having the highest remainders in the order
27 thereof respectively. No county shall have more members of
28 Assembly than a county having a greater number of inhabi-
29 tants, excluding aliens.

30 Until after the next enumeration, members of the Assembly
31 shall be apportioned to the several counties as follows:
32 Albany county, four members; Allegany county, one member;
33 Broome county, two members; Cattaraugus county, two mem-
34 bers; Cayuga county, two members; Chautauqua county,
35 two members; Chemung county, one member; Chenango
36 county, one member; Clinton county, one member; Columbia
37 county, one member; Cortland county, one member; Dela-
38 ware county, one member; Dutchess county, two members;
39 Erie county, eight members; Essex county, one member;
40 Franklin county, one member; Fulton and Hamilton coun-
41 ties, one member; Genesee county, one member; Greene
42 county, one member; Herkimer county, one member; Jeffer-
43 son county, two members; Kings county, twenty-one mem-
44 bers; Lewis county, one member; Livingston county, one
45 member; Madison county, one member; Monroe county, four
46 members; Montgomery county, one member; New York

Members of Assembly, Number of, etc

47 county, thirty-five members; Niagara county, two members;
 48 Oneida county, three members; Onondaga county, four mem-
 49 bers; Ontario county, one member; Orange county, two
 50 members; Orleans county, one member; Oswego county,
 51 two members; Otsego county, one member; Putnam county,
 52 one member; Queens county, three members; Rensselaer
 53 county, three members; Richmond county, one member;
 54 Rockland county, one member; St. Lawrence county, two
 55 members; Saratoga county, one member; Schenectady county,
 56 one member; Schoharie county, one member; Schuyler
 57 county, one member; Seneca county, one member; Steuben
 58 county, two members; Suffolk county, two members; Sul-
 59 livan county, one member; Tioga county, one member;
 60 Tompkins county, one member; Ulster county, two members;
 61 Warren county, one member; Washington county, one mem-
 62 ber; Wayne county, one member; Westchester county, three
 63 members; Wyoming county, one member, and Yates county,
 64 one member.

65 In any county entitled to more than one member, the board
 66 of supervisors, and in any city embracing an entire county
 67 and having no board of supervisors, the common council, or
 68 if there be none, the body exercising the powers of a common
 69 council, shall assemble on the second Tuesday of June, one
 70 thousand eight hundred and ninety-five, and at such times as

71 the Legislature making an apportionment shall prescribe, and
72 divide such counties into Assembly districts as nearly equal in
73 number of inhabitants, excluding aliens, as may be, of conve-
74 nient and contiguous territory in as compact form as prac-
75 ticable, each of which shall be wholly within a Senate district
76 formed under the same apportionment, equal to the number
77 of members of Assembly to which such county shall be entitled,
78 and shall cause to be filed in the office of the Secretary
79 of State and of the clerk of such county, a description of such
80 districts, specifying the number of each district and of the
81 inhabitants thereof, excluding aliens, according to the last
82 preceding enumeration; and such apportionment and districts
83 shall remain unaltered until another enumeration shall be
84 made, as herein provided; but said division of the city of
85 Brooklyn and the county of Kings to be made on the second
86 Tuesday of June, one thousand eight hundred and ninety-
87 five, shall be made by the common council of said city and
88 the board of supervisors of said county, assembled in joint
89 session. In counties having more than one Senate district, the
90 same number of Assembly districts shall be put in each Senate
91 district, unless the Assembly districts cannot be evenly divided
92 among the Senate districts of any county, in which case one
93 more Assembly district shall be put in the Senate district in
94 such county having the largest, or one less Assembly district

95 shall be put in the Senate district in such county having the
96 smallest number of inhabitants, excluding aliens, as the case
97 may require. No town, and no block in a city inclosed by
98 streets or public ways, shall be divided in the formation of
99 Assembly districts, nor shall any district contain a greater
100 excess in population over an adjoining district in the same
101 Senate district, than the population of a town or block therein
102 adjoining such Assembly district. Towns or blocks which,
103 from their location, may be included in either of two districts,
104 shall be so placed as to make said districts most nearly equal
105 in number of inhabitants, excluding aliens; but in the division
106 of cities under the first apportionment, regard shall be had to
107 the number of inhabitants, excluding aliens, of the election
108 districts according to the State enumeration of one thousand
109 eight hundred and ninety-two, so far as may be, instead of
110 blocks. Nothing in this section shall prevent the division, at
111 any time, of counties and towns, and the erection of new towns
112 by the Legislature.

113 An apportionment by the Legislature, or other body, shall
114 be subject to review by the Supreme Court, at the suit of any
115 citizen, under such reasonable regulations as the Legislature
116 may prescribe; and any court before which a cause may be

117 pending involving an apportionment, shall give precedence
 118 thereto over all other causes and proceedings, and if said court
 119 be not in session it shall convene promptly for the disposition
 120 of the same.

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ARKANSAS.**1. VIII.**

The House of Representatives shall consist of not less than seventy-three, nor more than one hundred members. Each county now organized shall always be entitled to one Representative, the remainder to be apportioned to the several counties according to the number of adult male inhabitants, taking two thousand as the ratio, until the number of Representatives amounts to one hundred, when they shall not be further increased; but the ratio of representation shall, from time to time, be increased as hereinafter provided, so that the Representatives shall never exceed that number. And until the enumeration of the inhabitants is taken by the United States government, A. D. 1880, the Representatives shall be apportioned among the several counties as follows:

The county of Arkansas shall elect one Representative; the county of Ashley shall elect one Representative; the county of Benton shall elect two Representatives; the county of Boone shall elect one Representative; the county of Bradley shall elect one Representative; the county of Baxter shall elect one Representative; the county of Calhoun shall elect one Representative; the county of Carroll shall elect one Representative; the county of Chicot

Sec. Art.

shall elect one Representative; the county of Columbia shall elect two Representatives; the county of Clark shall elect two Representatives; the county of Conway shall elect one Representative; the county of Craighead shall elect one Representative; the county of Crawford shall elect one Representative; the county of Cross shall elect one Representative; the county of Crittenden shall elect one Representative; the county of Clayton shall elect one Representative; the county of Dallas shall elect one Representative; the county of Desha shall elect one Representative; the county of Drew shall elect one Representative; the county of Dorsey shall elect one Representative; the county of Franklin shall elect one Representative; the county of Fulton shall elect one Representative; the county of Faulkner shall elect one Representative; the county of Grant shall elect one Representative; the county of Greene shall elect one Representative; the county of Garland shall elect one Representative; the county of Hempstead shall elect two Representatives; the county of Hot Spring shall elect one Representative; the county of Howard shall elect one Representative; the county of Independence shall elect two Representatives;

Members of Assembly, Number of, etc

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the county of Izard shall elect one Representative; the county of Jackson shall elect one Representative; the county of Jefferson shall elect three Representatives; the county of Johnson shall elect one Representative; the county of Lafayette shall elect one Representative; the county of Lawrence shall elect one Representative; the county of Little River shall elect one Representative; the county of Lonoke shall elect two Representatives; the county of Lincoln shall elect one Representative; the county of Lee shall elect two Representatives; the county of Madison shall elect one Representative; the county of Marion shall elect one Representative; the county of Monroe shall elect one Representative; the county of Montgomery shall elect one Representative; the county of Mississippi shall elect one Representative; the county of Nevada shall elect one Representative; the county of Newton shall elect one Representative; the county of Ouachita shall elect two Representatives; the county of Perry shall elect one Representative; the county of Phillips shall elect three Representatives; the county of Pike shall elect one Representative; the county of Polk shall elect one Representative; the county of Pope shall elect one Representative; the county of Poinsett shall elect one Representative; the county of Pulaski shall elect four Representatives; the county of Prairie shall elect one Representative; the county of Randolph shall elect one Representative; the county of Saline shall elect one Representative; the county of Sarber shall elect one Representative; the county of Scott

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shall elect one Representative; the county of Searcy shall elect one Representative; the county of Sebastian shall elect two Representatives; the county of Sevier shall elect one Representative; the county of St. Francis shall elect one Representative; the county of Stone shall elect one Representative; the county of Union shall elect two Representatives; the county of Van Buren shall elect one Representative; the county of Washington shall elect three Representatives; the county of White shall elect two Representatives; the county of Yell shall elect one Representative; the county of Woodruff shall elect one Representative; the county of Sharp shall elect one Representative.

CONNECTICUT.

3. III.

The House of Representatives shall consist of electors residing in towns from which they are elected. The number of Representatives from each town shall be the same as at present practiced and allowed. In case a new town shall hereafter be incorporated, such new town shall be entitled to one Representative only (altered by amendments of 1828, 1836 and 1875); and if such new town shall be made from one or more towns, the town or towns from which the same shall be made shall be entitled to the same number of Representatives as at present allowed, unless the number shall be reduced by the consent of such town or towns.

GEORGIA.

3. III.

Par. I. The House of Representatives shall consist of one hundred and seventy-five Repre-

Members of Assembly, Number of, etc

Sec. Art.

representatives, apportioned among the several counties as follows, to wit: To the six counties having the largest population, viz.: Chatham, Richmond, Burke, Houston, Bibb and Fulton, three Representatives each; to the twenty-six counties having the next largest population, viz.: Bartow, Coweta, Decatur, Floyd, Greene, Gwinnett, Harris, Jefferson, Meriwether, Monroe, Muscogee, Newton, Stewart, Sumter, Thomas, Troupe, Washington, Hancock, Carroll, Cobb, Jackson, Dougherty, Oglethorpe, Macon, Talbot and Wilkes, two Representatives each; and to the remaining one hundred and five counties one Representative each.

IDAHO.

2. XIX.

The several counties shall elect the following members of the House of Representatives:

The county of Ada, three members.
The counties of Ada and Elmore, one member.

The county of Alturas, two members.

The county of Boise, two members.

The county of Bear Lake, one member.

The county of Bingham, one member.

The county of Cassia, one member.

The county of Custer, two members.

The county of Elmore, one member.

The county of Idaho, one member.

The counties of Idaho and Nez Perce, one member.

The county of Kootenai, one member.

The county of Latah, two members.

The counties of Kootenai and Latah, one member.

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The county of Logan, two members.

The county of Lemhi, two members.

The county of Nez Perce, one member.

The county of Oneida, one member.

The county of Owyhee, one member.

The county of Shoshone, four members.

The county of Washington, two members.

The counties of Bingham, Logan and Alturas, one member.

IOWA.

86. III.

At its first session under this Constitution, and at every subsequent regular session, the General Assembly shall fix the ratio of representation, and also form into representative districts those counties which will not be entitled singly to a Representative.

LOUISIANA.

Art. 18. Until an enumeration shall be made in accordance with articles 16 and 17, the State shall be divided into the following Senatorial districts, with the number of Senators hereinafter designated to each district:

The First Senatorial district shall be composed of the Eighth and Ninth wards of Orleans, and of the parishes of St. Bernard and Plaquemines, and shall elect two Senators.

The Second district shall be composed of the Fourth, Fifth, Sixth and Seventh wards of Orleans, and shall elect two Senators.

The Third district shall be composed of the Third ward of Orleans, and shall elect one Senator.

The Fourth district shall be composed of the Second and Fif-

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teenth wards (Orleans right bank) of Orleans, and shall elect one Senator.

The Fifth district shall be composed of the First and Tenth wards of Orleans, and shall elect one Senator.

The Sixth district shall be composed of the Eleventh, Twelfth, Thirteenth, Fourteenth, Sixteenth and Seventeenth wards of Orleans, and shall elect two Senators.

The Seventh district shall be composed of the parishes of Jefferson, St. Charles and St. John the Baptist, and shall elect one Senator.

The Eighth district shall be composed of the parishes of St. James and Ascension, and shall elect one Senator.

The Ninth district shall be composed of the parishes of Terrebonne, Lafourche and Assumption, and shall elect two Senators.

The Tenth district shall be composed of the parishes of St. Mary, Vermillion, Cameron and Calcasieu, and shall elect two Senators.

The Eleventh district shall be composed of the parishes of St. Martin, Iberia and Lafayette, and shall elect one Senator.

The Twelfth district shall be composed of the parish of St. Landry, and shall elect two Senators.

The Thirteenth district shall be composed of the parishes of Avoyelles and Pointe Coupee, and shall elect one Senator.

The Fourteenth district shall be composed of the parishes of Iberville and West Baton Rouge, and shall elect one Senator.

The Fifteenth district shall be composed of the parishes of East and West Feliciana, and shall elect one Senator.

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The Sixteenth district shall be composed of the parish of East Baton Rouge, and shall elect one Senator.

The Seventeenth district shall be composed of the parishes of St. Helena, Livingston, Tangipahoa, Washington and St. Tammany, and shall elect one Senator.

The Eighteenth district shall be composed of the parishes of Rapides and Vernon, and shall elect one Senator.

The Nineteenth district shall be composed of the parishes of Natchitoches, Sabine, De Soto and Red River, and shall elect two Senators.

The Twentieth district shall be composed of the parish of Caddo, and shall elect one Senator.

The Twenty-first district shall be composed of the parishes of Bossier, Webster, Blenville and Claiborne, and shall elect two Senators.

The Twenty-second district shall be composed of the parishes of Union, Morehouse, Lincoln and West Carroll, and shall elect two Senators.

The Twenty-third district shall be composed of the parishes of Ouachita, Richland, Caldwell, Franklin and Jackson, and shall elect two Senators.

The Twenty-fourth district shall be composed of the parishes of Catahoula, Winn and Grant, and shall elect one Senator.

The Twenty-fifth district shall be composed of the parishes of East Carroll and Madison, and shall elect one Senator.

The Twenty-sixth district shall be composed of the parishes of Tensas and Concordia, and shall elect one Senator.

Thirty-six (36) Senators in all. And the Representatives shall be apportioned among the parishes

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and representative districts as follows:

For the parish of Orleans—

First Representative district, First ward, one Representative.

Second Representative district, Second ward, two Representatives.

Third Representative district, Third ward, three Representatives.

Fourth Representative district, Fourth ward, one Representative.

Fifth Representative district, Fifth ward, two Representatives.

Sixth Representative district, Sixth ward, one Representative.

Seventh Representative district, Seventh ward, two Representatives.

Eighth Representative district, Eighth ward, one Representative.

Ninth Representative district, Ninth ward, two Representatives.

Tenth Representative district, Tenth ward, two Representatives.

Eleventh Representative district, Eleventh ward, two Representatives.

Twelfth Representative district, Twelfth ward, one Representative.

Thirteenth Representative district, Thirteenth and Fourteenth wards, one Representative.

Fourteenth Representative district, Sixteenth and Seventeenth wards, one Representative.

Fifteenth Representative district, Fifteenth ward, one Representative.

The parishes of Ascension, West Baton Rouge, Bienville, Bossier, Calcasieu, Caldwell, Cameron, East Carroll, West Carroll, Catahoula, Concordia, West Feliciana, Franklin, Grant, Iberia, Jackson, Jefferson, Lafayette,

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Lincoln, Livingston, Morehouse, Ouachita, Plaquemines, Pointe Coupee, Red River, Richland, Sabine. St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Martin, St. Tammany, Tangipahoa, Union, Vermillion, Vernon, Washington, Webster and Winn, each one Representative. The parishes of Assumption, Avoyelles, East Baton Rouge, Caddo, Claiborne, De Soto, East Feliciana, Iberville, Lafourche, Madison, Natchitoches, Rapides, St. Mary, Tensas, Terrebonne, each two Representatives.

The parish of St. Landry, four Representatives.

This apportionment of Senators and Representatives shall not be changed or altered in any manner until after the enumeration shall have been taken by the State in eighteen hundred and ninety, in accordance with the provisions of articles 16 and 17.

MAINE.

5. IV.

The meetings within this State for the choice of Representatives shall be warned in due course of law by the selectmen of the several towns seven days at least before the election, and the selectmen thereof shall preside impartially at such meetings, receive the votes of all the qualified electors present, sort, count, and declare them in open town meeting, and in the presence of the town clerk, who shall form a list of the persons voted for, with the number of votes for each person against his name, shall make a fair record thereof in the presence of the selectmen and in open town meeting. And the towns and plantations organized by law, belonging to any class herein provided, shall hold their meet-

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ings at the same time in the respective towns and plantations; and the town and plantation meetings in such towns and plantations shall be notified, held and regulated, the votes received, sorted and counted and declared in the same manner. And the assessors and clerks of plantations shall have all the powers, and be subject to all the duties which selectmen and town clerks have, and are subject to by this Constitution. And fair copies of the lists of votes shall be attested by the selectmen and town clerks at towns, and the assessors of plantations, and sealed up in open town and plantation meetings; and the town and plantation clerks, respectively, shall cause the same to be delivered into the secretary's office thirty days at least before the first Wednesday of January annually. And the Governor and Council shall examine the returned copies of such lists, and also all lists of votes of citizens in the military service, returning to the secretary's office, as provided in article second, section four, of this Constitution; and twenty days before the said first Wednesday of January, annually, shall issue a summons to such persons as shall appear to be elected by a plurality of all the votes returned to attend and take their seats. But all such lists shall be laid before the House of Representatives on the first Wednesday of January, annually, and they shall finally determine who are elected. The electors resident in any city may, at any meeting duly notified for the choice of Representatives, vote for such Representatives in their

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respective ward meetings, and the wardens in said wards shall preside impartially at such meetings, receive the votes of all qualified electors present, sort, count and declare them in open ward meetings, and in the presence of the ward clerk, who shall form a list of the persons voted for, with the number of votes for each person against his name, shall make a fair record thereof in the presence of the warden, and in open ward meetings; and a fair copy of this list shall be attested by the warden and ward clerk, sealed up in open ward meeting, and delivered to the city clerk within twenty-four hours after the close of the polls. And the electors resident in any city may at any meetings duly notified and holden for the choice of any other civil officers for whom they have been required heretofore to vote in town meeting, vote for such officers in their respective wards, and the same proceedings shall be had by the warden and ward clerk in each ward as in the case of votes for Representatives. And the aldermen of any city shall be in session within twenty-four hours after the close of the polls in such meetings, and in the presence of the city clerk shall open, examine and compare the copies from the lists of votes given in the several wards, of which the city clerk shall make a record, and return thereof shall be made into the Secretary of State's office in the same manner as selectmen of towns are required to do. .

XXV.

Section two, article four, part first, of the Constitution of this State, as amended under the "resolution concerning an amendment

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of the Constitution of Maine," approved the fourth day of March, in the year eighteen hundred and seventy-nine, shall be further amended by striking out the words "first Wednesday in January next succeeding their election," and inserting in place thereof the words "day next preceding the biennial meeting of the Legislature, and the amendment herein proposed, if adopted, shall determine the office of Senators and Representatives to be elected at the annual meeting in September, in the year eighteen hundred and eighty, as well as the term of Senators and Representatives thereafter to be elected," so that said section, as amended, shall read as follows:

2. XXV.

"The House of Representatives shall consist of one hundred and fifty-one members, to be elected by the qualified electors, and hold their office two years from the day next preceding the biennial meeting of the Legislature, and the amendment herein proposed, if adopted, shall determine the term of office of Senators and Representatives to be elected at the annual meeting in September, in the year eighteen hundred and eighty, as well as the term of Senators and Representatives thereafter elected. The Legislature which shall first be convened under this Constitution, shall, on or before the fifteenth day of August, in the year of our Lord one thousand eight hundred and twenty-one, and the Legislature, within every subsequent period of at most ten years, and at least five, cause the number of the inhabitants of the State to be ascertained, exclusive of foreigners not naturalized and Indians not taxed.

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The number of Representatives shall, at the several periods of making such enumeration, be fixed and apportioned among the several counties, as near as may be, according to the number of inhabitants, having regard to the relative increase of population. The number of Representatives shall, on said first apportionment, be not less than one hundred and not more than one hundred and fifty."

MICHIGAN.

3. IV.

The House of Representatives shall consist of not less than sixty-four nor more than one hundred members. Representatives shall be chosen for two years, and by single districts. Each Representative district shall contain, as nearly as may be, an equal number of inhabitants, exclusive of persons of Indian descent, who are not civilized, or are members of any tribe, and shall consist of convenient and contiguous territory; but no township or city shall be divided in the formation of a Representative district. When any township or city shall contain a population which entitles it to more than one Representative, then such township or city shall elect, by general ticket, the number of Representatives to which it is entitled. Each county hereafter organized, with such territory as may be attached thereto, shall be entitled to a separate Representative when it has attained a population equal to a moiety of the ratio of representation. In every county entitled to more than one Representative, the board of supervisors shall assemble at such time and place as the Legislature shall prescribe

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and divide the same into Representative districts, equal to the number of Representatives to which such county is entitled by law, and shall cause to be filed in the offices of the Secretary of State and clerk of such county a description of such Representative districts, specifying the number of each district and population thereof, according to the last preceding enumeration.

22.

Every county except Mackinaw and Chippewa, entitled to a Representative in the Legislature at the time of the adoption of this Constitution shall continue to be so entitled under this Constitution; and the county of Saginaw, with the territory that may be attached, shall be entitled to one Representative; the county of Tuscola, and the territory that may be attached, one Representative; the county of Sanilac, and the territory that may be attached, one Representative; the counties of Midland and Arenac, with the territory that may be attached, one Representative; the county of Montcalm, with the territory that may be attached thereto, one Representative; and the counties of Newaygo and Oceana, with the territory that may be attached thereto, one Representative. Each county having a ratio of representation and a fraction over equal to a moiety of said ratio, shall be entitled to two Representatives, and so on above that number, giving one additional member for each additional ratio.

27.

The Legislature shall, at its session of one thousand eight hundred and fifty-one, apportion the Representatives among the several counties and districts, and

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divide the State into senate districts, pursuant to the provisions of this constitution.

MISSISSIPPI.

254. XIII.

The number of Representatives in the lower house of the Legislature shall be one hundred and thirty-three, to be apportioned as follows:

First — The counties of Choctaw, Covington, Greene, Hancock, Issaquena, Jones, Lawrence, Leflore, Marion, Neshoba, Pearl River, Perry, Quitman, Scott, Sharkey, Simpson, Smith, Sunflower, Tallahatchie, Tishomingo, Tunica, Wayne and Webster, each shall have one Representative.

Second — The counties of Alcorn, Amite, Attala, Bolivar, Calhoun, Carroll, Chickasaw, Clay, Coahoma, De Sota, Kemper, Lafayette, Madison, Newton, Pike, Pontotoc, Prentiss, Rankin, Tate, Union, Wilkinson and Yalobusha, each shall have two Representatives.

Third — The counties of Copiah, Holmes, Marshall, Monroe, Noxubee, Panola, Warren and Washington, each shall have three Representatives.

Fourth — The counties of Franklin, and Lincoln, each shall have one Representative and a floater between them.

Fifth — The counties of Tippah and Benton, each shall have one Representative and a floater between them.

Sixth — The counties of Claiborne and Jefferson each shall have one Representative and a floater between them.

Seventh — The counties of Clarke and Jasper each shall have one Representative and a floater between them.

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Eighth — The counties of Grenada and Montgomery each shall have one Representative and a floater between them.

Ninth — The counties of Leake and Winston each shall have one Representative and a floater between them.

Tenth — The counties of Harrison and Jackson each shall have one Representative and a floater between them.

Eleventh — The county of Yazoo shall have three Representatives and the county of Hinds shall have three Representatives, and they shall have a floater between them.

Twelfth — The county of Lauderdale shall have three Representatives, one to be elected by the city of Meridian, one by the county outside the city limits, and one by the whole county, including Meridian.

Thirteenth — The county of Adams, outside of the city of Natchez, shall have one Representative, and the city of Natchez one Representative.

Fourteenth — The county of Lowndes shall have three Representatives, two of whom shall be elected by that part of the county east of the Tombigbee river, and one by that portion of the county west of said river.

Fifteenth — The county of Oktibbeha shall have two Representatives, one of whom shall be elected by that portion of the county east of the line running north and south between ranges thirteen and fourteen, and the other by that portion of the county west of said line.

Sixteenth — The county of Lee shall have two Representatives, the county of Itawamba one, and a floater between them.

Seventeenth — In counties divided

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Into legislative districts, any citizen of the county eligible for election to the House of Representatives shall be eligible to represent any district thereof.

MISSOURI.

8. IV.

Until an apportionment of Representatives can be made, in accordance with the provisions of this article, the House of Representatives shall consist of one hundred and forty-three members, which shall be divided among the several counties of the State as follows: The county of St. Louis shall have seventeen; the county of Jackson four; the county of Buchanan, three; the counties of Franklin, Greene, Johnson, Lafayette, Macon, Marion, Pike and Saline, each two, and each of the other counties of the State one.

2. IV.

The House of Representatives shall consist of members to be chosen every second year by the qualified voters of the several counties, and apportioned in the following manner: The ratio of representation shall be ascertained in each apportioning session of the General Assembly, by dividing the whole number of inhabitants of the State, as ascertained by the last decennial census of the United States, by the number two hundred. Each county having one ratio, or less, shall be entitled to one Representative; each county having two and one-half times said ratio shall be entitled to two Representatives; each county having four times said ratio shall be entitled to three Representatives; each county having six times such ratio shall be entitled to four Representatives; and so on above that number.

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giving one additional member to every two and a half additional ratios.

MONTANA.**2. VI.**

The Legislative Assembly shall provide by law for an enumeration of the inhabitants of the State in the year 1895 and every tenth year thereafter; and at the session next following such enumeration, and also at the session next following an enumeration made by the authority of the United States, shall revise and adjust the apportionment for Representatives on the basis of such enumeration according to ratios to be fixed by law.

3. VI.

Representative districts may be altered from time to time as public convenience may require. When a representative district shall be composed of two or more counties, they shall be contiguous, and the districts as compact as may be. No county shall be divided in the formation of representative districts.

6. VI.

Until an apportionment of Representatives be made in accordance with the provisions of this article, they shall be divided among the several counties of the State in the following manner:

The county of Beaverhead shall have two (2).

The county of Madison shall have two (2).

The county of Gallatin shall have two (2).

The county of Jefferson shall have three (3).

The county of Deer Lodge shall have seven (7).

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The county of Missoula shall have five (5).

The counties of Lewis and Clark shall have eight (8).

The county of Choteau shall have two (2).

The county of Meagher shall have two (2).

The county of Silver Bow shall have ten (10).

The county of Custer shall have two (2).

The county of Yellowstone shall have one (1).

The county of Fergus shall have two (2).

The county of Park shall have two (2).

The county of Cascade shall have two (2).

The counties of Dawson and Cascade shall have one (1) jointly.

The counties of Deer Lodge and Beaverhead shall have one (1) jointly.

The counties of Jefferson and Gallatin shall have one (1) jointly.

NEBRASKA.**IV.**

Until otherwise provided by law Representative districts shall be formed and apportioned as follows:

District No. 1 shall consist of the county of Richardson, and be entitled to four Representatives.

District No. 2 shall consist of the county of Pawnee, and be entitled to two Representatives.

District No. 3 shall consist of the county of Gage, and be entitled to two Representatives.

District No. 4 shall consist of the county of Johnson, and be entitled to two Representatives.

District No. 5 shall consist of the county of Nemaha, and be entitled to three Representatives.

District No. 6 shall consist of the county of Otoe, and be entitled to four Representatives.

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District No. 7 shall consist of the county of Lancaster, and be entitled to four Representatives.

District No. 8 shall consist of the county of Saunders, and be entitled to three Representatives.

District No. 9 shall consist of the county of Cass, and be entitled to three Representatives.

District No. 10 shall consist of the county of Sarpy, and be entitled to one Representative.

District No. 11 shall consist of the county of Douglas, and be entitled to eight Representatives.

District No. 12 shall consist of the county of Dodge, and be entitled to two Representatives.

District No. 13 shall consist of the county of Washington, and be entitled to two Representatives.

District No. 14 shall consist of the county of Burt, and be entitled to one Representative.

District No. 15 shall consist of the county of Cuming, and be entitled to two Representatives.

District No. 16 shall consist of the county of Dakota, and be entitled to one Representative.

District No. 17 shall consist of the county of Dixon, and be entitled to one Representative.

District No. 18 shall consist of the county of Jefferson, and be entitled to one Representative.

District No. 19 shall consist of the county of Thayer, and be entitled to one Representative.

District No. 20 shall consist of the county of Nuckolls, and be entitled to one Representative.

District No. 21 shall consist of the county of Webster, and be entitled to one Representative.

District No. 22 shall consist of the county of Adams, and be entitled to one Representative.

District No. 23 shall consist of the county of Clay, and be entitled to one Representative.

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District No. 24 shall consist of the county of Fillmore, and be entitled to one Representative.

District No. 25 shall consist of the county of Saline, and be entitled to three Representatives.

District No. 26 shall consist of the county of Seward, and be entitled to two Representatives.

District No. 27 shall consist of the county of York, and be entitled to two Representatives.

District No. 28 shall consist of the county of Hamilton, and be entitled to one Representative.

District No. 29 shall consist of the county of Hall, and be entitled to one Representative.

District No. 30 shall consist of the county of Buffalo, and be entitled to one Representative.

District No. 31 shall consist of the county of Lincoln, and be entitled to one Representative.

District No. 32 shall consist of the county of Harlan, and be entitled to one Representative.

District No. 33 shall consist of the counties of Howard and Greeley, and be entitled to one Representative.

District No. 34 shall consist of the county of Merrick, and be entitled to one Representative.

District No. 35 shall consist of the county of Polk, and be entitled to one Representative.

District No. 36 shall consist of the county of Butler, and be entitled to one Representative.

District No. 37 shall consist of the county of Colfax, and be entitled to one Representative.

District No. 38 shall consist of the county of Platte, and be entitled to one Representative.

District No. 39 shall consist of the county of Madison, and be entitled to one Representative.

District No. 40 shall consist of the county of Cedar, and be entitled to one Representative.

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District No. 41 shall consist of the counties of Burt and Dodge, and be entitled to one Representative.

District No. 42 shall consist of the counties of Stanton, Wayne and Pierce, and be entitled to one Representative.

District No. 43 shall consist of the counties of Knox and Holt, and the unorganized territory west of Holt, and be entitled to one Representative.

District No. 44 shall consist of the county of Antelope, and be entitled to one Representative.

District No. 45 shall consist of the counties of Boone, Valley, Sherman, and the unorganized territory west of Sherman and Valley counties, and west of the Thirteenth senatorial district, and be entitled to one Representative.

District No. 46 shall consist of the counties of Dawson and Frontier, and be entitled to one Representative.

District No. 47 shall consist of the counties of Franklin and Kearney, and be entitled to one Representative.

District No. 48 shall consist of the counties of Furnas, Phelps and Gosper, and be entitled to one Representative.

District No. 49 shall consist of the counties of Cheyenne, Keith, Dundy, Chase, Hitchcock, Red Willow and the unorganized territory north of the county of Hitchcock, and be entitled to one Representative.

District No. 50 shall consist of the counties of Cass and Saunders, and be entitled to one Representative.

District No. 51 shall consist of the counties of Platte, Colfax and Butler, and be entitled to one Representative.

District No. 52 shall consist of the

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counties of Fillmore and Clay, and be entitled to one Representative.

NEW HAMPSHIRE.

9. II.

There shall be in the Legislature of the State a representation of the people, biennially elected, and founded upon the principles of equality; and, in order that such representation may be as equal as circumstances will admit, every town, or place entitled to town privileges, and wards of cities having six hundred inhabitants by the last general census of the State, taken by authority of the United States or of this State, may elect one Representative; if eighteen hundred such inhabitants may elect two Representatives; and so proceeding in that proportion, making twelve hundred such inhabitants the mean increasing number for any additional Representative: Provided, That no town shall be divided or the boundaries of the wards of any city so altered as to increase the number of Representatives to which such town or city may be entitled by the next preceding census; and provided, further, that to those towns and cities which since the last census have been divided, or had their boundaries or ward lines changed, the General Court, in session next before these amendments shall take effect, shall equitably apportion representation in such manner that the number shall not be greater than it would have been had no such division or alteration been made.

12. II. -

The members of the House of Representatives shall be chosen biennially, in the month of Novem-

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ber, and shall be the second branch of the Legislature.

NORTH CAROLINA.**5. II.**

The House of Representatives shall be composed of one hundred and twenty Representatives, biennially chosen by ballot, to be elected by the counties respectively, according to their population, and each county shall have at least one Representative in the House of Representatives, although it may not contain the requisite ratio of representation; this apportionment shall be made by the General Assembly at the respective times and periods when the districts of the Senate are hereinbefore directed to be laid off.

6. II.

In making the apportionment in the House of Representatives, the ratio of representation shall be ascertained by dividing the amount of the population of the State, exclusive of that comprehended within those counties which do not severally contain the one hundred and twentieth part of the population of the State, by the number of Representatives, less the number assigned to such counties; and in ascertaining the number of the population of the State, aliens and Indians not taxed shall not be included. To each county containing the said ratio, and not twice the said ratio, there shall be assigned one Representative; to each county containing two but not three times the said ratio, there shall be assigned two Representatives, and so on progressively, and then the remaining Representatives shall be assigned severally to the

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counties having the largest fractions.

OHIO.**1. XI.**

The apportionment of this State for members of the General Assembly shall be made every ten years after the year one thousand eight hundred and fifty-one, in the following manner: The whole population of the State, as ascertained by the Federal census, or in such other mode as the General Assembly may direct, shall be divided by the number "one hundred," and the quotient shall be the ratio of the representation in the House of Representatives for ten years next succeeding such apportionment.

2. XI.

Every county having a population equal to one-half of said ratio shall be entitled to one Representative; every county containing said ratio and three-fourths over shall be entitled to two Representatives; every county containing three times said ratio shall be entitled to three Representatives, and so on, requiring after the first two an entire ratio for each additional Representative.

3. XI.

When any county shall have a fraction above the ratio so large that, being multiplied by five, the result will be equal to one or more ratios, additional Representatives shall be apportioned for such ratios among the several sessions of the decennial period in the following manner: If there be only one ratio, a Representative shall be allotted to the fifth session of the decennial period; if there are two ratios, a Representative shall be allotted to the fourth and third

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sessions, respectively; if three, to the third, second and first sessions, respectively; if four, to the fourth, third, second and first sessions, respectively.

4. XI.

Any county forming with another county or counties a Representative district during one decennial period, if it have acquired sufficient population at the next decennial period, shall be entitled to a separate representation if there shall be left in the district from which it shall have been separated a population sufficient for a Representative; but no such change shall be made except at the regular decennial period for the apportionment of Representatives.

5. XI.

If, in fixing any subsequent ratio, a county previously entitled to a separate representation shall have less than the number required by the new ratio for a Representative, such county shall be attached to the county adjoining it having the least number of inhabitants; and the representation of the district so formed shall be determined as herein provided.

10. XI.

For the first ten years after the year one thousand eight hundred and fifty-one the apportionment of Representatives shall be as provided in the schedule, and no change shall ever be made in the principles of representation as herein established, or in the Senatorial districts, except as above provided. All territory belonging to a county at the time of any apportionment shall, as to the right of representation and suffrage, remain an integral part thereof during the decennial period.

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19.

The apportionment of the House of Representatives during the first decennial period under this Constitution shall be as follows:

The counties of Adams, Allen, Athens, Auglaize, Carroll, Champaign, Clark, Clinton, Crawford, Darke, Delaware, Erie, Fayette, Gallia, Geauga, Greene, Hancock, Harrison, Hocking, Holmes, Lake, Lawrence, Logan, Madison, Marion, Meigs, Morrow, Perry, Pickaway, Pike, Preble, Sandusky, Scioto, Shelby and Union shall, severally, be entitled to one Representative in each session of the decennial period.

The counties of Franklin, Licking, Montgomery and Stark shall each be entitled to two Representatives in each session of the decennial period.

The counties of Ashland, Coshocton, Highland, Huron, Lorain, Mahoning, Medina, Miami, Portage, Seneca, Summit and Warren shall, severally, be entitled to one Representative in each session and one additional Representative in the fifth session of the decennial period.

The counties of Ashtabula, Brown, Butler, Clermont, Fairfield, Guernsey, Jefferson, Knox, Monroe, Morgan, Richland, Trumbull, Tuscarawas and Washington shall, severally, be entitled to one Representative in each session, and two additional Representatives, one in the third and one in the fourth session of the decennial period.

The counties of Belmont, Columbiana, Ross and Wayne shall, severally, be entitled to one Representative in each session, and three additional Representatives, one in the first, one in

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the second and one in the third session of the decennial period. The county of Muskingum shall be entitled to two Representatives in each session, and one additional Representative in the fifth session of the decennial period.

The county of Cuyahoga shall be entitled to two representatives in each session, and two additional Representatives, one in the third and one in the fourth session of the decennial period.

The county of Hamilton shall be entitled to seven Representatives in each session, and four additional Representatives, one in the first, one in the second, one in the third and one in the fourth session of the decennial period.

The following counties, until they have acquired a sufficient population to entitle them to elect separately, under the fourth section of the eleventh article, shall form districts in manner following, to wit: The counties of Jackson and Vinton, one district; the counties of Lucas and Fulton, one district; the counties of Wyandot and Hardin, one district; the counties of Mercer and Van Wert, one district; the counties of Paulding, Defiance and Williams, one district; the counties of Putnam and Henry, one district; the counties of Wood and Ottawa, one district; each of which districts shall be entitled to one Representative in every session of the decennial period.

SOUTH CAROLINA.

1. II.

That article II of the Constitution of the State of South Carolina be, and the same is hereby, amended so that in sections four

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and five of said article, the following shall be substituted, and shall be known as section four, thereof, to wit:

4. II.

The House of Representatives shall consist of one hundred and twenty-four members, to be apportioned among the several counties according to the number of inhabitants contained in each; an enumeration of the inhabitants for this purpose shall be made in 1891, and shall be made in the course of every tenth year thereafter, in such manner as shall be by law directed: Provided, That the General Assembly may at any time in its discretion adopt the immediately preceding United States census as a true and correct enumeration of the inhabitants of the several counties, and make the apportionment or assignment of Representatives among the several counties according to said enumeration: Provided, however, This amendment shall not prevent the General Assembly from providing for an enumeration and apportionment prior to 1891 in the manner now provided for by law.

6. II.

In assigning Representatives to the several counties, the General Assembly shall allow one Representative to every one hundred and twenty-fourth part of the whole number of inhabitants in the State: Provided, That if the apportionment of Representatives in any county shall appear not to be entitled, from its population, to a Representative, such county shall, nevertheless, send one Representative; and if there be still a deficiency of the number of Representatives required by section fourth of this article,

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4. II.

such deficiency shall be supplied by assigning Representatives to those counties having the largest surplus fractions.

SOUTH DAKOTA.

2.

In all elections of Representatives aforesaid, each qualified voter may cast as many votes for one candidate as there are Representatives to be elected, or may distribute the same, or equal parts thereof, among the candidates as he may see fit; and the candidates highest in votes shall be declared elected. (Rejected October 1, 1889, by the following vote: For minority representation, 24,161, against minority representation, 46,200.)

2. XIX.

Until otherwise provided by law the Senatorial and Representative districts shall be formed and the Senators and Representatives shall be apportioned as follows:

District No. 1 shall consist of the county of Union and be entitled to three Representatives.

District No. 2 shall consist of the county of Clay and be entitled to two Representatives.

District No. 3 shall consist of the county of Yankton and be entitled to four Representatives.

District No. 4 shall consist of the county of Bon Homme and be entitled to three Representatives.

District No. 5 shall consist of the county of Lincoln and be entitled to three Representatives.

District No. 6 shall consist of the county of Turner and be entitled to three Representatives.

District No. 7 shall consist of the county of Hutchinson and be entitled to two representatives.

District No. 8 shall consist of the

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county of Douglas and be entitled to two Representatives.

District No. 9 shall consist of the county of Charles Mix and be entitled to two Representatives.

District No. 10 shall consist of the county of Minnehaha and be entitled to seven Representatives.

District No. 11 shall consist of the county of McCook and be entitled to two Representatives.

District No. 12 shall consist of the county of Hanson and be entitled to two Representatives.

District No. 13 shall consist of the county of Davison and be entitled to two Representatives.

District No 14 shall consist of the county of Aurora and be entitled to two Representatives.

District No. 15 shall consist of the county of Brule and be entitled to three Representatives.

District No. 16 shall consist of the county of Moody and be entitled to two Representatives.

District No. 17 shall consist of the county of Lake and be entitled to three Representatives.

District No. 18 shall consist of the county of Miner and be entitled to two Representatives.

District No. 19 shall consist of the county of Sanborn and be entitled to two Representatives.

District No. 20 shall consist of the county of Jerauld and be entitled to one Representative.

District No. 21 shall consist of the county of Buffalo and be entitled to one Representative.

District No. 22 shall consist of the county of Brookings and be entitled to three Representatives.

District No. 23 shall consist of the county of Kingsbury and be entitled to three Representatives.

District No. 24 shall consist of the county of Beadle and be entitled to five Representatives.

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District No. 25 shall consist of the county of Hand and be entitled to three Representatives.

District No. 26 shall consist of the county of Hyde and be entitled to one Representative.

District No. 27 shall consist of the county of Hughes and be entitled to one Representative.

District No. 28 shall consist of the county of Sully and be entitled to one Representative.

District No. 29 shall consist of the county of Deuel and be entitled to two Representatives.

District No. 30 shall consist of the county of Hamlin and be entitled to two Representatives.

District No. 31 shall consist of the county of Codrington and be entitled to three Representatives.

District No. 32 shall consist of the county of Clark and be entitled to three Representatives.

District No. 33 shall consist of the county of Spink and be entitled to five Representatives.

District No. 34 shall consist of the county of Faulk and be entitled to two Representatives.

District No. 35 shall consist of the county of Potter and be entitled to one Representative.

District No. 36 shall consist of the county of Grant and be entitled to two Representatives.

District No. 37 shall consist of the county of Roberts and be entitled to one Representative.

District No. 38 shall consist of the county of day and be entitled to three Representatives.

District No. 39 shall consist of the county of Marshall and be entitled to two Representatives.

District No. 40 shall consist of the county of Brown and be entitled to eight Representatives.

District No. 41 shall consist of the county of Edmunds and be entitled to two Representatives.

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District No. 42 shall consist of the county of Walworth and be entitled to one Representative.

District No. 43 shall consist of the county of McPherson and be entitled to two Representatives.

District No. 44 shall consist of the county of Campbell and be entitled to one Representative.

District No. 45 shall consist of the county of Fall River and be entitled to one Representative.

District No. 46 shall consist of the county of Custer and be entitled to two Representatives.

District No. 47 shall consist of the county of Pennington and be entitled to two Representatives.

District No. 48 shall consist of the county of Meade and be entitled to two Representatives.

District No. 49 shall consist of the county of Lawrence and be entitled to six Representatives.

District No. 50 shall consist of the county of Butte and be entitled to one Representative.

TENNESSEE.

5. II.

The number of Representatives shall, at the several periods of making the enumeration, be apportioned among the several counties or districts, according to the number of qualified voters in each; and shall not exceed seventy-five, until the population of the State shall be one million and a half, and shall never exceed ninety-nine: Provided, That any county having two-thirds of the ratio shall be entitled to one member.

VERMONT.

7. II.

In order that the freemen of this State might enjoy the benefit of election as equally as may be, each town within this State that consists or may consist of eighty

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taxable inhabitants within one septenary or seven years next after the establishing this Constitution, may hold elections therein, and choose each two Representatives; and each other inhabited town in this State may, in like manner, choose each one Representative to represent them in General Assembly during the said septenary or seven years, and after that, each inhabited town may, in like manner, hold such elections and choose each one Representative forever thereafter.

WASHINGTON.

2. XXII.

Until otherwise provided by law, the Representatives shall be divided among the several counties of the State in the following manner: The county of Adams shall have one Representative; the county of Asotin shall have one Representative; the county of Chehalis shall have two Representatives; the county of Clarke shall have three Representatives; the county of Clallam shall have one Representative; the county of Columbia shall have two Representatives; the county of Cowlitz shall have one Representative; the county of Douglas shall have one Representative; the county of Franklin shall have one Representative; the county of Garfield shall have one Representative; the county of Island shall have one Representative; the county of Jefferson shall have two Representatives; the county of King shall have eight Representatives; the county of Klickitat shall have two Representatives; the county of Kittitas shall have two Representatives; the county of Kitsap shall have one Representa-

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tive; the county of Lewis shall have two Representatives; the county of Lincoln shall have two Representatives; the county of Mason shall have one Representative; the county of Okanogan shall have one Representative; the county of Pacific shall have one Representative; the county of Pierce shall have six Representatives; the county of San Juan shall have one Representative; the county of Skamania shall have one Representative; the county of Snohomish shall have two Representatives; the county of Skagit shall have two Representatives; the county of Spokane shall have six Representatives; the county of Stevens shall have one Representative; the county of Thurston shall have two Representatives; the county of Walla Walla shall have three Representatives; the county of Wahkiakum shall have one Representative; the county of Whatcom shall have two Representatives; the county of Whitman shall have five Representatives; the county of Yakima shall have one Representative.

WISCONSIN.

4. IV.

The members of the Assembly shall be chosen biennially, by single districts, on the Tuesday succeeding the first Monday of November after the adoption of this amendment, by the qualified electors of the several districts; such districts to be bounded by county, precinct, town or ward lines, to consist of contiguous territory, and to be in as compact form as practicable.

12. XIV.

Until there shall be a new apportionment, the Senators and Members of the Assembly shall be

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apportioned among the several districts, as hereinbefore mentioned, and each district shall be entitled to elect one Senator or Member of Assembly, as the case may be.

The county of Brown shall constitute an Assembly district.

The county of Calumet shall constitute an Assembly district.

The county of Manitowoc shall constitute an Assembly district.

The county of Columbia shall constitute an Assembly district.

The counties of Crawford and Chippewa shall constitute an Assembly district.

The counties of St. Croix and La Pointe shall constitute an Assembly district.

The towns of Windsor, Sun Prairie and Cottage Grove, in the county of Dane, shall constitute an Assembly district.

The towns of Madison, Cross Plains, Clarkson, Springfield, Verona, Montrose, Oregon and Greenfield, in the county of Dane, shall constitute an Assembly district.

The towns of Rome, Dunkirk, Christiana, Albion and Rutland, in the county of Dane, shall constitute an Assembly district.

The towns of Burnett, Chester, Le Roy and Williamstown, in the county of Dodge, shall constitute an Assembly district.

The towns of Fairfield, Hubbard and Rubicon, in the county of Dodge, shall constitute an Assembly district.

The towns of Hustisford, Ashipin, Lebanon and Emmett, in the county of Dodge, shall constitute an Assembly district.

The towns of Elba, Lowell, Portland and Clyman, in the county of Dodge, shall constitute an Assembly district.

The towns of Calumas, Beaver

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Dam, Fox Lake and Trenton, in the county of Dodge, shall constitute an Assembly district. The towns of Calumet, Forest, Auburn, Byron, Taycheedah and Fond du Lac, in the county of Fond du Lac, shall constitute an Assembly district.

The towns of Alto, Metomen, Cereco, Rosendale, Woupun, Oakfield and Seven Mile Creek, in the county of Fond du Lac, shall constitute an Assembly district.

The precincts of Hazel Green, Fairplay, Smelzer's Grove and Jamestown, in the county of Grant, shall constitute an Assembly district.

The precincts of Platteville, Head of Platte, Centreville, Muscoda and Fennimore, in the county of Grant, shall constitute an Assembly district.

The precincts of Pleasant Valley, Potosi, Waterloo, Hurricane and New Lisbon, in the county of Grant, shall constitute an Assembly district.

The precincts of Beetown, Patch Grove, Cassville, Millville and Lancaster, in the county of Grant, shall constitute an Assembly district.

The county of Greene shall constitute an Assembly district.

The precincts of Dallas, Peddlers Creek, Mineral Point and Yellow Stone, in the county of Iowa, shall constitute an Assembly district.

The precincts of Franklin, Dodgeville, Porter's Grove, Arena and Percussion, in the county of Iowa and the county of Richland, shall constitute an Assembly district.

The towns of Watertown, Aztalan and Waterloo, in the county of Jefferson, shall constitute an Assembly district.

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The towns of Ixonia, Concord, Sullivan, Hebron, Cold Spring and Palmyra, in the county of Jefferson, shall constitute an Assembly district.

The towns of Lake Mills, Oakland, Koshkonong, Farmington and Jefferson, shall constitute an Assembly district.

The precincts of Benton, Elk Grove, Belmont, Willow Springs, Prairie, and that part of Shullsburgh precinct north of town one, in the county of La Fayette, shall constitute an Assembly district.

The precincts of Wiota, Wayne, Gratiot, White Oak Springs, Fever River, and that part of Shullsburgh precinct south of town two, in the county of La Fayette, shall constitute an Assembly district.

The county of Marquette shall constitute an Assembly district.

The first ward of the city of Milwaukee shall constitute an Assembly district.

The second ward of the city of Milwaukee shall constitute an Assembly district.

The third ward of the city of Milwaukee shall constitute an Assembly district.

The fourth and fifth wards of the city of Milwaukee shall constitute an Assembly district.

The towns of Franklin and Oak Creek, in the county of Milwaukee, shall constitute an Assembly district.

The towns of Greenfield and Lake, in the county of Milwaukee, shall constitute an Assembly district.

The towns of Granville, Wauwatosa and Milwaukee, in the county of Milwaukee, shall constitute an Assembly district.

The county of Portage shall constitute an Assembly district.

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The town of Racine, in the county of Racine, shall constitute an Assembly district.

The towns of Norway, Raymond, Caledonia and Mount Pleasant, in the county of Racine, shall constitute an Assembly district.

The towns of Rochester, Burlington and Yorkville, in the county of Racine, shall constitute an Assembly district.

The towns of Southport, Pike and Pleasant Prairie, in the county of Racine, shall constitute an Assembly district.

The towns of Paris, Bristol, Brighton, Salem and Wheatland, in the county of Racine, shall constitute an Assembly district.

The towns of Janesville and Bradford, in the county of Rock, shall constitute an Assembly district.

The towns of Beloit, Turtle and Clinton, in the county of Rock, shall constitute an Assembly district.

The towns of Magnolia, Union, Porter and Fulton, in the county of Rock, shall constitute an Assembly district.

The towns of Milton, Lima and Johnstown, in the county of Rock, shall constitute an Assembly district.

The towns of Newark, Rock, Avon, Spring Valley and Center, in the county of Rock, shall constitute an Assembly district. Provided, That if the Legislature shall divide the town of Center, they may attach such part of it to the district lying next north as they deem expedient.

The county of Sauk shall constitute an Assembly district.

Precincts numbered one, three and seven, in the county of Sheboygan, shall constitute an Assembly district.

Precincts numbered one, four, five

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and six, in the county of Sheboygan, shall constitute an Assembly district.

The towns of Troy, East Troy and Spring Prairie, in the county of Walworth, shall constitute an Assembly district.

The towns of Whitewater, Richmond and Le Grange, in the county of Walworth, shall constitute an Assembly district.

The towns of Geneva, Hudson and Bloomfield, in the county of Walworth, shall constitute an Assembly district.

The towns of Darien, Sharon, Walworth and Linn, in the county of Walworth, shall constitute an Assembly district.

The towns of Delavan, Sugar Creek, La Fayette and Elkhorn, in the county of Walworth, shall constitute an Assembly district.

The towns of Lisbon, Menomonee and Brookfield in the county of Waukesha, shall constitute an Assembly district.

The towns of Warren, Oconomoc, Summit and Ottawa, in the county of Waukesha, shall constitute an Assembly district.

The towns of Delafield, Genesee and Pewaukee, in the county of Waukesha, shall constitute an Assembly district.

The towns of Waukesha and New Berlin, in the county of Waukesha, shall constitute an Assembly district.

The towns of Eagle, Mukwonago, Vernon and Muskego, in the

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county of Waukesha, shall constitute an Assembly district.

The towns of Port Washington, Fredonia and Clarence, in the county of Washington, shall constitute an Assembly district. The towns of Grafton and Jackson, in the county of Washington, shall constitute an Assembly district.

The towns of Mequon and German own, in the county of Washington, shall constitute an Assembly district.

The towns of Polk, Richfield and Erin, in the county of Washington, shall constitute an Assembly district.

The towns of Hartford, Addison, West Bend and North Bend, in the county of Washington, shall constitute an Assembly district. The county of Winnebago shall constitute an Assembly district.

The foregoing districts are subject, however, so far to be altered that when any new town shall be organized, it may be added to either of the adjoining Assembly districts.

WYOMING.

3. III.

Representative districts may be altered from time to time as public convenience may require. When a representative district shall be composed of two or more counties, they shall be contiguous and the districts as compact as may be. No county shall be divided in the formation of representative districts.

Pay of Members.

PAY OF MEMBERS.

1 Sec. 6. Each member of the Legislature shall receive
 2 for his services an annual salary of one thousand five hundred
 3 dollars. The members of either house shall also receive the
 4 sum of one dollar for every ten miles they shall travel in going
 5 to and returning from their place of meeting, once in each ses-
 6 sion, on the most usual route. Senators, when the Senate
 7 alone is convened in extraordinary session, or when serving as
 8 members of the Court for the Trial of Impeachments, and
 9 such members of the Assembly, not exceeding nine in num-
 10 ber, as shall be appointed managers of an impeachment, shall
 11 receive an additional allowance of ten dollars a day.

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ALABAMA.**6. IV.**

The pay of the members of the General Assembly shall be four dollars per day, and ten cents per mile in going to and returning from the seat of government, to be computed by the nearest usual route traveled.

ARKANSAS.**16. V.**

The members of the General Assembly shall receive such per diem pay and mileage for their services as shall be fixed by law. No member of either house shall, during the term for which he has been elected, receive any increase of pay for his services under any law passed during such term. The term of all members of the General Assem-

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bly shall begin on the day of their election.

CALIFORNIA.**23. IV.**

The members of the Legislature shall receive for their services a per diem and mileage, to be fixed by law, and paid out of the public treasury; such per diem shall not exceed eight dollars, and such mileage shall not exceed ten cents per mile, and for contingent expenses not exceeding twenty-five dollars for each session. No increase in compensation or mileage shall take effect during the term for which the members of either house shall have been elected, and the pay of no attache shall be increased after he is elected or appointed.

Pay of Members.

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COLORADO.**6. V.**

Each member of the first General Assembly, as a compensation for his services, shall receive four dollars for each day's attendance and fifteen cents for each mile necessarily traveled in going to and returning from the seat of government; and shall receive no other compensation, perquisite or allowance whatsoever. No session of the General Assembly, after the first, shall exceed forty days. After the first session, the compensation of the members of the General Assembly shall be as provided by law; provided, that no General Assembly shall fix its own compensation.

CONNECTICUT.**XXII.**

The compensation of members of the General Assembly shall not exceed three hundred dollars per annum, and one mileage each way for each session, at the rate of twenty-five cents per mile (altered by amendment of 1884).

3. XXVII.

The compensation of members of the General Assembly shall not exceed three hundred dollars for the term for which they are elected, and one mileage each way for the regular session, at the rate of twenty-five cents per mile; they shall also receive one mileage, at the same rate, for attending any extra session called by the Governor.

DELAWARE.**11. II.**

The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the

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treasury of the State; but no law varying the compensation shall take effect, till an election of Representatives shall have intervened. They shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

FLORIDA.**4. III.**

Senators and members of the House of Representatives shall be duly qualified electors in the respective counties and districts for which they were chosen. The pay of members of the Senate and House of Representatives shall not exceed six dollars a day for each day of session, and mileage to and from their homes to the seat of government, not to exceed ten cents a mile each way, by the nearest and most practicable route.

GEORGIA.**9. III.**

The per diem of members of the General Assembly shall not exceed four dollars, and mileage shall not exceed ten cents for each mile traveled, by the nearest practicable route in going to and returning from the capital; but the President of the Senate and Speaker of the House of Representatives shall each receive not exceeding seven dollars per day.

IDAHO.**23. III.**

Each member of the Legislature shall receive for his services a sum not exceeding five dollars per day from the commencement

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of the session, but such pay shall not exceed for each member, except the presiding officers, in the aggregate three hundred dollars for per diem allowances for any one session; and shall receive each the sum of ten cents per mile each way by the usual traveled route.

When convened in extra session by the Governor, they shall each receive five dollars per day; but no extra session shall continue for a longer period than twenty days, except in case of the first session of the Legislature. They shall receive such mileage as is allowed for regular sessions. The presiding officers of the Legislature shall each in virtue of his office receive an additional compensation equal to one-half his per diem allowance as a member: Provided, That whenever a member of the Legislature shall travel on a free pass in coming to or returning from the session of the Legislature, the number of miles actually traveled on such pass shall be deducted from the mileage of such member.

ILLINOIS.

21. IV.

The members of the General Assembly shall receive for their services the sum of five dollars per day, during the first session held under this Constitution, and ten cents for each mile necessarily traveled in going to and returning from the seat of government, to be computed by the auditor of public accounts; and thereafter such compensation as shall be prescribed by law, and no other allowance or emolument, directly or indirectly, for any purpose whatever, except the sum of fifty dollars per session to each member, which

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shall be in full for postage, stationery, newspapers and all other incidental expenses and perquisites; but no change shall be made in the compensation of the General Assembly during the term for which they may have been elected. The pay and mileage allowed to each member of the General Assembly shall be certified by the speakers of their respective houses, and entered on the journals, and published at the close of each session.

INDIANA.

21. I.

Each member of the Legislature shall receive for his services two dollars and fifty cents for each day's attendance during the session, and ten cents for every mile he shall travel in going to and returning from the place of the meeting of the Legislature, on the most usual route.

29. IV.

The members of the General Assembly shall receive for their services a compensation to be fixed by law; but no increase of compensation shall take effect during the session at which such increase may be made. No session of the General Assembly, except the first under this Constitution, shall extend beyond the term of sixty-one days, nor any special session beyond the term of forty days.

IOWA.

25. III.

Each member of the first General Assembly under this Constitution shall receive three dollars per diem while in session; and the further sum of three dollars for every twenty miles traveled, in going to and returning from the place where such session is held, by the nearest traveled route; after which they shall receive

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such compensation as shall be fixed by law; but no General Assembly shall have power to increase the compensation of its own members. And when convened in extra session, they shall receive the same mileage and per diem compensation as fixed by law for the regular session, and none other.

KANSAS.**3. I.**

The members of the Legislature shall receive as compensation for their services the sum of three dollars for each day's actual service at any regular or special session, and fifteen cents for each mile traveled by the usual route in going to and returning from the place of meeting; but such compensation shall not in the aggregate exceed the sum of two hundred and forty dollars for each member as per diem allowance for the first session held under this Constitution, nor more than one hundred and fifty dollars for each session thereafter, nor more than ninety dollars for any special session.

KENTUCKY.**42.**

The members of the General Assembly shall severally receive from the State treasury compensation for their services, which shall be five dollars a day during their attendance on, and fifteen cents per mile for the necessary travel in going to and returning from, the session of their respective houses: Provided, The same may be changed by law; but no change shall take effect during the session at which it is made; nor shall a session of the General Assembly continue beyond sixty legisla-

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tive days, exclusive of Sundays and legal holidays; but this limitation as to length of session shall not apply to the first session held under this Constitution, nor to the Senate when sitting as a court of impeachment. A legislative day shall be construed to mean a calendar day.

LOUISIANA.**27. (Art.)**

The members of the General Assembly shall receive a compensation not to exceed four dollars per day during their attendance, and their actual traveling expenses going to and returning from the seat of government; but in no instance shall more than thirty dollars each way be allowed for traveling expenses.

MAINE.**7. IV.**

The Senators and Representatives shall receive such compensation as shall be established by law; but no law increasing their compensation shall take effect during the existence of the Legislature which enacted it. The expenses of the House of Representatives in traveling to the Legislature and returning therefrom, once in each session or more, shall be paid by the State out of the public treasury to every member, who shall seasonably attend, in the judgment of the house, and does not depart therefrom without leave.

MARYLAND.**15. III.**

The General Assembly may continue its session so long as in its judgment the public interest may require, for a period not longer than ninety days; and each member thereof shall receive a compensation of five dol-

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lars per diem for every day he shall attend the session, but not for such days as he may be absent, unless absent on account of sickness or by leave of the house of which he is a member; and he shall also receive such mileage as may be allowed by law, not exceeding twenty cents per mile; and the presiding officer of each house shall receive an additional compensation of three dollars per day. When the General Assembly shall be convened by proclamation of the Governor, the session shall not continue longer than thirty days, and in such case the compensation shall be the same as herein prescribed.

MICHIGAN.

15. IV.

The compensation of the members of the Legislature shall be three dollars per day for actual attendance, and when absent on account of sickness, but the Legislature may allow extra compensation to the members from the territory of the Upper Peninsula, not exceeding two dollars per day during the session. When convened in extra session, their compensation shall be three dollars a day for the first twenty days, and nothing thereafter; and they shall legislate on no other subjects than those expressly stated in the Governor's proclamation, or submitted to them by special message. They shall be entitled to ten cents and no more for every mile actually traveled in going to and returning from the place of meeting on the usually traveled route; and for stationery and newspapers, not exceeding five dollars for each member during any session. Each member shall be entitled

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to one copy of the laws, journals and documents of the Legislature of which he was a member; but shall not receive at the expense of the State, books, newspapers or other perquisites of office not expressly authorized by this Constitution.

17. XVII.

The President of the Senate and the Speaker of the House of Representatives shall be entitled to the same per diem compensation and mileage as members of the Legislature, and no more.

MINNESOTA.

7. IV.

The compensation of Senators and Representatives shall be three dollars per diem during the first session, but may afterwards be prescribed by law. But no increase of compensation shall be prescribed which shall take effect during the period for which the members of the existing House of Representatives may have been elected.

MISSISSIPPI.

36. IV.

The Legislature shall meet at the seat of government in regular session, on the first Tuesday after the first Monday in January, of the year A. D. 1892, and every four years thereafter; and in special session on the first Tuesday after the first Monday in January of the year A. D. 1894, and every four years thereafter, unless sooner convened by the Governor. The special sessions shall not continue longer than thirty days, unless the Governor, deeming the public interest to require it, shall extend the sitting by proclamation in writing to be sent to and entered upon the journals of each house, for a specific number of days, and

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then it may continue in session to the expiration of that time. At such special sessions the members shall receive not more compensation or salary than ten cents mileage, and a per diem of not exceeding five dollars; and none but appropriation and revenue bills shall be considered, except such other matters as may be acted upon at an extraordinary session called by the Governor.

46. IV.

The members of the Legislature shall severally receive from the State treasury, compensation for their services, to be prescribed by law, which may be increased or diminished, but no alteration of such compensation of members shall take effect during the session at which it is made.

108.

Whenever the Legislature shall take away the duties pertaining to an office, then the salary of the officer shall cease.

MISSOURI.

16. IV.

The members of the General Assembly shall severally receive from the public treasury such compensation for their services as may, from time to time, be provided by law, not to exceed five dollars per day for the first seventy days of each session, and after that not to exceed one dollar per day for the remainder of the session, except the first session held under this Constitution, and during revising sessions, when they may receive five dollars per day for one hundred and twenty days, and one dollar per day for the remainder of such sessions. In addition to per diem, the members shall be entitled to receive traveling expenses or mileage,

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for any regular and extra session, not greater than now provided by law; but no member shall be entitled to traveling expenses or mileage for any extra session that may be called within one day after an adjournment of a regular session. Committees of either house, or joint committees of both houses, appointed to examine the institutions of the State, other than those at the seat of government, may receive their actual expenses, necessarily incurred while in the performance of such duty—the items of such expenses to be returned to the chairman of such committee, and by him certified to the State Auditor, before the same, or any part thereof, can be paid. Each member may receive at each regular session an additional sum of thirty dollars, which shall be in full for all stationery used in his official capacity, and all postage, and all other incidental expenses and perquisites; and no allowance or emoluments, for any purpose whatever, shall be made to or received by the members, or any member of either house, or for their use, out of the contingent fund or otherwise, except as herein expressly provided; and no allowance or emolument, for any purpose whatever, shall ever be paid to any officer, agent, servant or employe of either house of the General Assembly, or of any committee thereof, except such per diem as may be provided for by law, not to exceed five dollars.

MONTANA.

5. V.

Each member of the first Legislative Assembly, as a compensation for his services, shall receive six dollars for each day's

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attendance, and twenty cents for each mile necessarily traveled in going to and returning from the seat of government to his residence by the usually traveled route, and shall receive no other compensation, perquisite or allowance whatsoever.

No session of the Legislative Assembly, after the first, which may be ninety days, shall exceed sixty days.

After the first session, the compensation of the members of the Legislative Assembly shall be as provided by law: Provided, That no Legislative Assembly shall fix its own compensation.

NEBRASKA.

4.

The term of office of members of the Legislature shall be two years, and they shall each receive pay at the rate of five dollars per day during their sitting, and ten cents for every mile they shall travel in going to and returning from the place of meeting of the Legislature, on the most usual route: Provided, however, that they shall not receive pay for more than sixty days at any one sitting, nor more than one hundred days during their term.

That neither members of the Legislature nor employes shall receive any pay or perquisites other than their salary and mileage. Each session, except special sessions, shall be not less than sixty days. After the expiration of forty days of the session no bills or joint resolutions of the nature of bills shall be introduced, unless the Governor shall by special message call the attention of the Legislature to the necessity of passing a law on the subject-matter embraced in the message, and the intro-

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duction of bills shall be restricted thereto.

NEVADA.

33. IV.

The members of the Legislature shall receive for their services a compensation to be fixed by law, and paid out of the public treasury; but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected: Provided, That an appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers, and stationery, not exceeding the sum of sixty dollars for any general or special session, to each member; and furthermore provided, that the speaker of the Assembly, and Lieutenant-Governor, as president of the Senate, shall each, during the time of their actual attendance as such presiding officers, receive an additional allowance of two dollars per day.

NEW HAMPSHIRE.

15. II.

The presiding officers of both houses of the Legislature shall severally receive out of the State treasury as compensation in full for their services, for the term elected, the sum of two hundred and fifty dollars, and all other members thereof seasonably attending and not departing without license, the sum of two hundred dollars, exclusive of mileage: Provided, however, That when a special session shall be called by the Governor, such officers and members shall receive for attendance an additional compensation of three dol-

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lars per day for a period not exceeding fifteen days, and the usual mileage.

NEW JERSEY.**7. IV.**

Members of the Senate and General Assembly shall receive annually the sum of five hundred dollars during the time for which they shall have been elected and while they shall hold their office, and no other allowance or emolument, directly or indirectly, for any purpose whatever. The president of the Senate and speaker of the House of Assembly shall, in virtue of their offices, receive an additional compensation, equal to one-third of their allowance as members.

NORTH CAROLINA.**28. II.**

The members of the General Assembly for the term for which they have been elected shall receive as a compensation for their services the sum of four dollars per day for each day of their session, for a period not exceeding sixty days; and should they remain longer in session, they shall serve without compensation. They shall also be entitled to receive ten cents per mile, both while coming to the seat of government and while returning home, the said distance to be computed by the nearest line or route of public travel. The compensation of the presiding officers of the two houses shall be six dollars per day and mileage. Should an extra session of the General Assembly be called, the members and presiding officers shall receive a like rate of compensation for a period not exceeding twenty days.

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NORTH DAKOTA.**45. II.**

Each member of the Legislative Assembly shall receive as a compensation for his services for each session, five dollars per day, and ten cents for every mile of necessary travel in going to and returning from the place of the meeting of the Legislative Assembly, on the most usual route.

OHIO.**31. IV.**

The members and officers of the General Assembly shall receive a fixed compensation, to be prescribed by law, and no other allowance or perquisites, either in the payment of postage or otherwise, and no change in their compensation shall take effect during their term of office.

OREGON.**29. IV.**

The members of the Legislative Assembly shall receive for their services a sum not exceeding three dollars a day, from the commencement of the session; but such pay shall not exceed in the aggregate one hundred and twenty dollars for per diem allowance for any one session. When convened in extra session by the Governor, they shall receive three dollars per day; but no extra session shall continue for a longer period than twenty days. They shall also receive the sum of three dollars for every twenty miles they shall travel in going to and returning from their place of meeting, on the most usual route. The presiding officers of the assembly shall, in virtue of their office, receive an additional compensation equal to two-thirds of their per diem allowance as members.

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PENNSYLVANIA.**8. III.**

The members of the General Assembly shall receive such salary or mileage for regular and special sessions as shall be fixed by law, and no other compensation whatever, whether for service upon committee or otherwise. No member of either house shall, during the term for which he may have been elected, receive any increase in salary, or mileage, under any law passed during such term.

10. III.

The General Assembly shall prescribe by law the number, duties and compensation of the officers and employes of each house, and no payment shall be made for the State treasury, or be in any way authorized, to any person, except to an acting officer or employe elected or appointed in pursuance of law.

RHODE ISLAND.**11. IV.**

The Senators and Representatives shall receive the sum of one dollar for every day of attendance, and eight cents per mile for traveling expenses in going to and returning from the General Assembly. The General Assembly shall regulate the compensation of the Governor and all other officers subject to the limitations contained in this Constitution.

SOUTH CAROLINA.**23. II.**

Each member of the first General Assembly under this Constitution shall receive six dollars per diem while in session, and the further sum of twenty cents for every mile of the ordinary route of travel in going to and return-

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ing from the place where such session is held, after which they shall receive such compensation as shall be fixed by law; but no General Assembly shall have the power to increase the compensation of its own members. And when convened in extra session they shall receive the same mileage and per diem compensation as are fixed by law for the regular session, and none other.

SOUTH DAKOTA.**6. III.**

The terms of office of the members of the Legislature shall be two years; they shall receive for their services the sum of five dollars for each day's attendance during the session of the Legislature; and five cents for every mile of necessary travel in going to and returning from the place of meeting of the Legislature on the most usual route. Each regular session of the Legislature shall not exceed sixty days, except in cases of impeachment, and members of the Legislature shall receive no other pay or perquisites except per diem and mileage.

TENNESSEE.**23. II.**

The sum of four dollars per day, and four dollars for every twenty-five miles traveling to and from the seat of government shall be allowed to the members of each General Assembly elected after the ratification of this Constitution, as a compensation for their services. But no member shall be paid for more than seventy-five days of a regular session, or for more than twenty days of any extra or called session; or for any day when absent from his seat

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in the Legislature, unless physically unable to attend. The Senators, when sitting as a court of impeachment, shall receive four dollars per day of actual attendance.

TEXAS.

24. III.

The members of the Legislature shall receive from the public treasury such compensation for their services as may from time to time be provided by law, not exceeding five dollars per day for the first sixty days of each session; and after that not exceeding two dollars per day for the remainder of the session, except the first held under this Constitution, when they may receive not exceeding five dollars per day for the first ninety days, and after that not exceeding two dollars per day for the remainder of the session. In addition to the per diem, the members of each house shall be entitled to mileage in going to and returning from the seat of government, which mileage shall not exceed five dollars for every twenty-five miles, the distance to be computed by the nearest and most direct route of travel by land regardless of railways or water routes; and the Comptroller of the State shall prepare and preserve a table of distances to each county seat now or hereafter to be established, and by such table the mileage of each member shall be paid; but no member shall be entitled to mileage for any extra session that may be called within one day after the adjournment of a regular or called session.

VIRGINIA.

8. V.

The members of the General As-

Sec. Art.

sembly shall receive for their services a salary; to be ascertained by law and paid out of the public treasury; but no act increasing such salary shall take effect until after the end of the term for which the members of the House of Delegates voting thereon were elected; and no Senator or Delegate, during the term for which he shall have been elected, shall be appointed to any civil office of profit under the Commonwealth which has been created, or the emoluments of which have been increased during such term, except offices filled by election by the people.

WASHINGTON.

23. II.

Each member of the first Legislature shall receive for his services five dollars for each day's attendance during the session, and ten cents for every mile he shall travel in going to and returning from the place of meeting of the Legislature, on the most usual route.

WEST VIRGINIA.

33. VI.

The members of the Legislature shall each receive for their services the sum of four dollars per day, and ten cents for each mile traveled in going to and returning from the seat of government by the most direct route. The speaker of the House of Delegates and the president of the Senate shall each receive an additional compensation of two dollars per day for each day they shall act as presiding officers. No other allowance or emolument than that by this section provided shall directly or indirectly be made or paid to the members of either house for

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postage, stationery, newspapers, or any other purpose whatever.

WISCONSIN.**21. IV.**

Each member of the Legislature shall receive for his services, for and during a regular session, the sum of five hundred dollars, and ten cents for every mile he shall travel in going to and returning from the place of meeting of the Legislature on the most usual route. In case of an extra session of the Legislature, no additional compensation shall be allowed to any member thereof, either directly or indirectly, except for mileage, to be computed at the same rate as for a regular session. No stationery, newspapers, postage or other perquisite, except the salary and mileage above provided, shall be received from the State by any member of the Legislature for

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his services, or in any other manner as such member.

WYOMING.**6. III.**

Each member of the first Legislature, as a compensation for his services, shall receive five dollars for each day's attendance, and fifteen cents for each mile traveled in going to and returning from the seat of government to his residence by the usual traveled route, and shall receive no other compensation, perquisite or allowance whatever. No session of the Legislature after the first, which may be sixty days, shall exceed forty days. After the first session the compensation of the members of the Legislature shall be provided by law; but no Legislature shall fix its own compensation.

No Member to Receive an Appointment.

NO MEMBER TO RECEIVE AN APPOINTMENT.

1 Sec. 7. No member of the Legislature shall receive any
 2 civil appointment within this State, or the Senate of the United
 3 States, from the Governor, the Governor and Senate, or from
 4 the Legislature, or from any city government, during the time
 5 for which he shall have been elected; and all such appoint-
 6 ments and all votes given for any such member for any such
 7 office or appointment shall be void.

Sec. Art.

ALABAMA.**12. IV.**

A member of either house expelled for corruption shall not thereafter be eligible to either house, and punishment for contempt or disorderly behavior shall not bar an indictment for the same offense.

17. IV.

No Senator or Representative shall, during the term for which he shall have been elected, be appointed to any civil office of profit under this State, which shall have been created, or the emoluments of which shall have been increased during such term, except such offices as may be filled by election by the people.

18. IV.

No person hereafter convicted of embezzlement of the public money, bribery, perjury or other infamous crime shall be eligible to the General Assembly, or capable of holding any office of trust or profit in this State.

ARKANSAS.**5. III.**

No person shall be eligible to the

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office of Senator or member of the House of Representatives who shall not be an elector, and have resided within the district from which he was elected for the term of one year next before his election, unless he shall have been absent on the public business of the United States, or of this State, and no person elected as aforesaid shall hold his office after he shall have removed from such district.

4. V.

No person shall be a Senator or Representative who, at the time of his election, is not a citizen of the United States, nor any one who has not been, for two years next preceding his election, a resident of this State, and for one year next preceding his election a resident of the county or district whence he may be chosen. Senators shall be at least twenty-five years of age and Representatives at least twenty-one years of age.

7. V.

No judge of the Supreme Court or inferior courts of law or

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equity, Secretary of State, Attorney-General for the State, Auditor or Treasurer, Recorder, clerk of any court of record, sheriff, coroner, member of Congress, nor any other person holding any lucrative office under the United States or this State (militia officers, justices of the peace, postmasters, officers of public schools and notaries public excepted), shall be eligible to a seat in either house of the General Assembly.

8. V.

No person who is now or shall be hereafter a collector or holder of public money, nor any assistant or deputy of such holder or collector of public money, shall be eligible to a seat in either house of the General Assembly, nor to any office of trust or profit, until he shall have accounted for and paid over all sums for which he may have been liable.

9. V.

No person hereafter convicted of embezzlement of public money, bribery, forgery or other infamous crime, shall be eligible to the General Assembly or capable of holding any office of trust or profit in this State.

10.

No Senator or Representative shall, during the term for which he shall have been elected, be appointed or elected to any civil office under this State.

CALIFORNIA.

19. IX.

No Senator or member of Assembly shall, during the term for which he shall have been elected be appointed to any civil office of profit under this State which shall have been created, or the emoluments of which have been

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increased, during such term, except such offices as may be filled by election by the people.

COLORADO.

4. IV.

No person shall be a Representative or Senator who shall not have attained the age of twenty-five years, who shall not be a citizen of the United States, who shall not for at least twelve months next preceding his election have resided within the Territory included in the limits of the county or district in which he shall be chosen: Provided, That any person who, at the time of the adoption of this Constitution, was a qualified elector under the Territorial laws, shall be eligible to the General Assembly.

8. V.

No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office under this State; and no member of Congress, or other person holding any office (except the attorney-at-law, notary public, or in the militia) under the United States, or this State, shall be a member of either house during his continuance in office.

CONNECTICUT.

4. X.

No judge of the Superior Court, or the Supreme Court of Errors; no member of Congress; no person holding any office under the authority of the United States; no person holding the office of Treasurer, Secretary or Comptroller; no sheriff, or sheriff's deputy, shall be a member of the General Assembly.

DELAWARE.

12. II.

No Senator or Representative

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shall, during the time for which he shall have been elected, be appointed to any civil office under this State, which shall have been created, or the emoluments of which shall have been increased during such time. No person concerned in any army or navy contract, no member of Congress, nor any person holding any office under this State or the United States, except the Attorney-General, officers usually appointed by the courts of justice, respectively, attorneys-at-law and officers in the militia, holding no disqualifying office, shall, during his continuance in Congress or in office, be a Senator or Representative.

8. VII.

The rights, privileges, immunities and estates of religious societies and corporate bodies shall remain as if the Constitution of this State had not been altered. No ordained clergyman or ordained preacher of the gospel of any denomination, shall be capable of holding any civil office in this State, or of being a member of either branch of the Legislature, while he continues in the exercise of the pastoral or clerical functions.

FLORIDA.

5. III.

No Senator or member of the House of Representatives shall, during the time for which he was elected, be appointed or elected to any civil office under the Constitution of this State, that has been created, or the emoluments whereof shall have been increased during such time.

GEORGIA.

7. III.

No person holding a military commission, or other appointment or

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office having any emolument or compensation annexed thereto, under this State, or of the United States, or either of them, except justices of the peace and officers of the militia, nor any defaulter for public money, or for any legal taxes required of him, shall have a seat in either house; nor shall any Senator or Representative, after his qualification as such, be elected by the General Assembly, or appointed by the Governor, either with or without the advice or consent of the Senate, to any office or appointment having any emolument annexed thereto during the time for which he shall have been elected.

IDAHO.

6. III.

No person shall be a Senator or Representative who, at the time of his election, is not a citizen of the United States and an elector of this State, nor any one who has not been for one year next preceding his election an elector of the county or district whence he may be chosen

ILLINOIS.

4. V.

No person who has been, or hereafter shall be, convicted of bribery, perjury or other infamous crime, nor any person who has been or may be a collector or holder of public moneys, who shall not have accounted for and paid over, according to law, all such moneys due from him, shall be eligible to the General Assembly, or to any office of profit or trust in this State.

INDIANA.

9. II.

No person holding a lucrative office or appointment under the United States, or under this

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State, shall be eligible to a seat in the General Assembly; nor shall any person hold more than one lucrative office at the same time, except in this Constitution expressly permitted: Provided, That offices in the militia, to which there is attached no annual salary, and the office of deputy postmaster, where the compensation does not exceed ninety dollars per annum, shall not be deemed lucrative; and provided, also, That counties containing less than one thousand polls may confer the office of clerk, recorder and auditor, or any two of said offices, upon the same person.

7. IV.

No person shall be a Senator or a Representative who, at the time of his election, is not a citizen of the United States; nor any one who has not been, for two years next preceding his election, an inhabitant of this State, and for one year next preceding his election an inhabitant of the county or district whence he may be chosen. Senators shall be at least twenty-five, and Representatives at least twenty-one years of age.

30. IV.

No Senator or Representative shall, during the term for which he may have been elected, be eligible to any office, the election to which is vested in the General Assembly, nor shall he be appointed to any civil office of profit, which shall have been created, or the emoluments of which shall have been increased during such term; but this latter provision shall not be construed to apply to any office elective by the people.

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IOWA.

4. III.

No person shall be a member of the House of Representatives who shall not have attained the age of twenty-one years, be a (free white) male citizen of the United States, and shall have been an inhabitant of this State one year next preceding his election, and at the time of his election shall have had an actual residence of sixty days in the county or district he may have been chosen to represent.

21. III.

No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office of profit under this State, which shall have been created, or the emoluments of which shall have been increased during such term, except such offices as may be filled by elections by the people.

23. III.

No person who may hereafter be a collector or holder of public moneys, shall have a seat in either house of the General Assembly, or be eligible to hold any office of trust or profit in this State, until he shall have accounted for and paid into the treasury all sums for which he may be liable.

KANSAS.

4. II.

No person shall be a member of the Legislature who is not at the time of his election a qualified voter of, and a resident in, the county or district for which he is elected.

5. II.

No member of Congress or officer of the United States shall be eligible to a seat in the Legislature. If any person, after his

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election to the Legislature, be elected to Congress or elected or appointed to any office under the United States, his acceptance thereof shall vacate his seat.

6. II.

No person convicted of embezzlement or misuse of the public funds shall have a seat in the Legislature.

KENTUCKY.

32.

No person shall be a Representative who, at the time of his election, is not a citizen of Kentucky, has not attained the age of twenty-four years, and who has not resided in this State two years next preceding his election, and the last year thereof in the county, town or city for which he may be chosen. No person shall be a Senator who, at the time of his election, is not a citizen of Kentucky, has not attained the age of thirty years, and has not resided in this State six years next preceding his election, and the last year thereof in the district for which he may be chosen.

45.

No person who may have been a collector of taxes or public moneys for the Commonwealth, or for any county, city, town or district, or the assistant or deputy of such collector, shall be eligible to the General Assembly, unless he shall have obtained a quietus six months before the election for the amount of such collection, and for all public moneys for which he may have been responsible.

165.

No person shall, at the same time, be a State officer or a deputy officer, or member of the Gen-

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eral Assembly, and an officer of any county, city, town, or other municipality, or an employe thereof; and no person shall, at the same time, fill two municipal offices, either in the same or different municipalities except as may be otherwise provided in this Constitution; but a notary public, or an officer of the militia, shall not be ineligible to hold any other office mentioned in this section.

LOUISIANA.

25. (Art.)

No Senator or Representative shall, during the term for which he was elected, nor for one year thereafter, be appointed or elected to any civil office of profit under this State, which may have been created, or the emoluments of which may have been increased by the General Assembly during the time such Senator or Representative was a member thereof.

153. (Art.)

No member of Congress nor person holding or exercising any office of trust or profit under the United States or either of them, or under any foreign power, shall be eligible as a member of the General Assembly, or hold or exercise any office of trust or profit under the State.

171. (Art.)

No person who, at any time, may have been a collector of taxes, whether State, parish or municipal, or who may have been otherwise intrusted with public money, or any portion thereof, shall be eligible to the General Assembly or to any office of honor, profit or trust under the State government, or any parish or municipality thereof, until he shall have obtained a discharge

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for the amount of such collections and for all public moneys with which he may have been intrusted.

MAINE.**4. IV.**

No person shall be a member of the House of Representatives unless he shall, at the commencement of the period for which he is elected, have been five years a citizen of the United States, have arrived at the age of twenty-one years, have been a resident of this State one year, or from the adoption of this Constitution; and for the three months next preceding the time of his election shall have been, and during the period for which he was elected, shall continue to be a resident in the town or district which he represents.

10. IV.

No Senator or Representative shall, during the term for which he shall have been elected, be appointed to any civil office of profit under this State, which shall have been created, or the emoluments of which increased during his term, except such offices as may be filled by elections by the people: Provided, That this prohibition shall not extend to the members of the first Legislature.

11. IV.

No member of Congress, nor person holding any office under the United States (post officers excepted) nor office of profit under this State (justices of the peace, notaries public, coroners, and officers of the militia excepted) shall have a seat in either house during his being such member of Congress or his continuing in such office.

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2. IX.

No person holding the office of Justice of the Supreme Judicial Court, or of any inferior court, Attorney-General, county attorney, Treasurer of the State, Adjutant-General, Judge of probate, register of probate, register of deeds, sheriffs or their deputies, clerks of the judicial courts, shall be a member of the Legislature; and any person holding either of the foregoing offices, elected to, and accepting a seat in the Congress of the United States, shall thereby vacate said office; or no person shall be capable of holding or exercising at the same time within this State more than one of the offices before mentioned.

MARYLAND.**9. III.**

No person shall be eligible as a Senator or Delegate, who, at the time of his election, is not a citizen of the State of Maryland, and who has not resided therein for at least three years next preceding the day of his election, and the last year thereof, in the county, or in the legislative district of Baltimore City, which he may be chosen to represent, if such county or legislative district of said city shall have been so long established; and if not, then in the county or city from which, in whole or in part, the same may have been formed; nor shall any person be eligible as a Senator unless he shall have attained the age of twenty-five years, nor as a Delegate, unless he shall have attained the age of twenty-one years, at the time of his election.

10. III.

No member of Congress, or person holding any civil or military

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office under the United States, shall be eligible as a Senator or Delegate; and if any person shall, after his election as Senator or Delegate, be elected to Congress, or be appointed to any office, civil or military, under the government of the United States, his acceptance thereof shall vacate his seat.

12. III.

No collector, receiver or holder of public money shall be eligible as Senator or Delegate, or to any office of profit or trust under this State, until he shall have accounted for and paid into the treasury all sums on the books thereof charged to and due by him.

MASSACHUSETTS.

2. I.

Provided, nevertheless, that no person shall be capable of being elected as a Senator (who is not seized in his own right of a freehold, within this Commonwealth, of the value of three hundred pounds at least, or possessed of personal estate to the value of six hundred pounds at least, or of both to the amount of the same sum, and) who has not been an inhabitant of this Commonwealth for the space of five years immediately preceding his election, and, at the time of his election, he shall be an inhabitant in the district for which he shall be chosen. (See amendments, Art. XIII. and Art. XXII.)

MICHIGAN.

6. IV.

No person holding any office under the United States or any county office, except notaries public, officers of the militia, and officers elected by townships, shall be eligible to or have a seat in either house of the Legislature;

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and all votes given for any such person shall be void.

18. IV.

No person elected a member of the Legislature shall receive any civil appointment within this State, or to the Senate of the United States, from the Governor, the Governor and Senate, from the Legislature, or any other State authority, during the term for which he is elected. All such appointments, and all votes given for any person so elected for any such office or appointment, shall be void. No member of the Legislature shall be interested, directly or indirectly, in any contract with the State, or any county thereof, authorized by any law passed during the time for which he is elected, nor for one year thereafter.

30. IV.

No collector, holder nor disburser of public money shall have a seat in the Legislature, or be eligible to any office of trust or profit under this State, until he shall have accounted for and paid over, as provided by law, all sums for which he may be liable.

MINNESOTA.

9. IV.

No Senator or Representative shall, during the time for which he is elected, hold any office under the authority of the United States or the State of Minnesota, except that of postmaster, and no Senator or Representative shall hold an office under the State which has been created, or the emoluments of which have been increased during the session of the Legislature of which he was a member, until one year after the expiration of his term of office in the Legislature.

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MISSISSIPPI.**11. III.**

No minister or preacher of the gospel, or of any religious creed or denomination, and no person holding any civil office of profit or trust under this State, except justices of the peace, shall be eligible as Senator or Delegate.

41. IV.

No person shall be a member of the House of Representatives who shall not have attained the age of twenty-one years, and who shall not be a qualified elector of the State, and who shall not have been a resident citizen of the State four years, and of the county two years, immediately preceding his election. The seat of a member of the House of Representatives shall be vacated on his removal from the county or electoral district from which he was elected.

43. IV.

No person liable as principal for public moneys unaccounted for shall be eligible to a seat in either house of the Legislature, or to any office of profit or trust, until he shall have accounted for and paid over all sums for which he may have been liable.

44. IV.

No person shall be eligible to a seat in either house of the Legislature, or to any office of profit or trust, who shall have been convicted of bribery, perjury or other infamous crime; and any person who shall have been convicted of giving or offering, directly or indirectly, any bribe to procure his election or appointment; and any person who shall give or offer any bribe to procure the election or appointment of any person to office shall, on conviction thereof, be disqualified from holding any

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office of profit or trust under the laws of this State.

45. IV.

No Senator or Representative during the term for which he was elected shall be eligible to any office of profit, which shall have been created, or the emoluments of which have been increased, during the time such Senator or Representative was in office, except to such offices as may be filled by an election of the people.

MISSOURI.**4. IV.**

No person shall be a member of the House of Representatives who shall not have attained the age of twenty-four years, who shall not be a male citizen of the United States, who shall not have been a qualified voter of this State two years, and an inhabitant of the county or district which he may be chosen to represent one year next before the day of his election—if such county or district shall have been so long established, but if not, then of the county or district from which the same shall have been taken—and who shall not have paid a State and county tax within one year preceding the election.

6. IV.

No person shall be a Senator who shall not have attained the age of thirty years, who shall not be a male citizen of the United States, who shall not have been a qualified voter of this State three years, and an inhabitant of the district which he may be chosen to represent one year next before the day of his election—if such district shall have been so long established, but if not, then of the district or districts from

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which the same shall have been taken—and who shall not have paid a State and county tax within one year next preceding the election. When any county shall be entitled to more than one Senator, the Circuit Court shall cause such county to be subdivided into districts of compact and contiguous territory, and of population as nearly equal as may be, corresponding in number with the Senators to which such county may be entitled, and in each of these one Senator, who shall be a resident of such district, shall be elected by the qualified voters thereof.

12. IV.

No Senator or Representative shall, during the term for which he shall have been elected, be appointed to any office under this State, or any municipality thereof; and no member of Congress or person holding any lucrative office under the United States, or this State, or any municipality thereof (militia officers, justices of the peace and notaries public excepted), shall be eligible to either house of the General Assembly, or remain a member thereof after having accepted any such office or seat in either house of Congress.

MONTANA.

3. V.

No person shall be a Representative who shall not have obtained the age of twenty-one years, or a Senator who shall not have obtained the age of twenty-four years, and who shall not be a citizen of the United States, and who shall not (for at least twelve months next preceding his election) have resided within the county or district in which he shall be elected.

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7. V.

No Senator or Representative shall, during the term for which he shall have been elected, be appointed to any civil office under the State; and no member of Congress, or other person holding an office (except notary public, or in the militia) under the United States or this State, shall be a member of either house during his continuance in office.

NEBRASKA.

6. III.

No person holding office under the authority of the United States, or any lucrative office under the authority of the State, shall be eligible to or have a seat in the Legislature; but this provision shall not extend to precinct or township officers, justices of the peace, notaries public, or officers of the militia; nor shall any person interested in a contract with, or an unadjusted claim against the State, hold a seat in the Legislature.

13. III.

No person elected to the Legislature shall receive any civil appointment within this State from the Governor and Senate during the term for which he has been elected. And all appointments and all votes given for any such member for any such office or appointment shall be void. Nor shall any member of the Legislature, or any State officer, be interested, either directly or indirectly, in any contract with the State, county or city, authorized by any law passed during the term for which he shall have been elected, or within one year after the expiration thereof.

NEVADA.

8. IV.

No Senator or Member of Assem-

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bly shall, during the term for which he shall have been elected, nor for one year thereafter, be appointed to any civil office of profit under this State which shall have been created, or the emoluments of which shall have been increased during such term, except such office as may be filled by elections by the people.

NEW HAMPSHIRE.**95. II.**

No person holding the office of judge of any court (except special judges), Secretary, Treasurer of the State, Attorney-General, Commissary-General, military officers receiving pay from the continent or this State occasionally called forth on an emergency), Register of Deeds, sheriff, or officers of the customs, including naval officers, collectors of excise and State and continental taxes hereafter appointed, and not having settled their accounts with their respective officers with whom it is their duty to settle such accounts, members of Congress, or any person holding any office under the United States shall at the same time hold the office of Governor, or have a seat in the Senate or House of Representatives or Council; but his being chosen and appointed to and accepting the same shall operate as a resignation of his seat in the chair, Senate or House of Representatives or Council, and the place so vacated shall be filled up. No member of the Council shall have a seat in the Senate or House of Representatives.

NEW JERSEY.**1. IV.**

No member of the Senate or General Assembly shall, during the

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term for which he was elected, be nominated or appointed by the Governor, or by the Legislature in joint meeting, to any civil office under the authority of this State which shall have been created, or the emoluments whereof shall have been increased, during such time.

2. IV.

If any member of the Senate or General Assembly shall be elected to represent this State in the Senate or House of Representatives of the United States, and shall accept thereof, his seat in the Legislature of this State shall thereby be vacated.

NORTH DAKOTA.**37. II.**

No judge or clerk of any court, Secretary of State, Attorney-General, Register of Deeds, sheriff, or person holding any office of profit under this State, except in the militia, or office of attorney-at-law, notary public or justice of the peace, and no person holding any office of profit or honor under any foreign government, or under the government of the United States, except postmasters whose annual compensation does not exceed the sum of three hundred dollars, shall hold any office in either branch of the legislative assembly or become a member thereof.

38. II.

No member of the Legislative Assembly, expelled for corruption, and no person convicted of bribery, perjury or other infamous crime, shall be eligible to the Legislative Assembly, or to any office in either branch thereof.

39. II.

No member of the Legislative Assembly shall, during the term

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for which he was elected, be appointed or elected to any civil office in this State which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected; nor shall any member receive any civil appointment from the Governor, or Governor and Senate, during the term for which he shall have been elected.

OHIO.

4. II.

No person holding office under the authority of the United States, or any lucrative office under the authority of this State, shall be eligible to or have a seat in the General Assembly; but this provision shall not extend to township officers, justices of the peace, notaries public or officers of the militia.

5. II.

No person hereafter convicted of an embezzlement of the public funds shall hold any office in this State; nor shall any person holding public money for distribution or otherwise, have a seat in the General Assembly until he shall have accounted for and paid such money into the treasury.

10. II.

No Senator or Representative shall, during the term for which he shall have been elected, or for one year thereafter, be appointed to any civil office under this State which shall be created or the emoluments of which shall have been increased during the term for which he shall have been elected.

OREGON.

8. IV.

No person shall be a Senator or Representative who, at the time

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of his election, is not a citizen of the United States; nor any one who has not been for one year next preceding his election an inhabitant of the county or district whence he may be chosen. Senators or Representatives shall be at least twenty-one years of age.

10. IV.

No person holding a lucrative office or appointment under the United States, or under this State, shall be eligible to a seat in the Legislative assembly; nor shall any person hold any more than one lucrative office at the same time, except as in this Constitution expressly permitted: Provided, That officers in the militia, to which there is attached no annual salary, and the office of postmaster, where the compensation does not exceed one hundred dollars per annum, shall not be deemed lucrative.

30. IV.

No Senator or Representative shall, during the time for which he may have been elected, be eligible to any office, the election to which is vested in the Legislative Assembly; nor shall be appointed to any civil office of profit which shall have been created, or the emoluments of which shall have been increased during such term, but this latter provision shall not be construed to apply to any officer elective by the people.

PENNSYLVANIA.

6. II.

No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office under this Commonwealth, and no member of Congress, or other

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person, holding any office (except of attorney-at-law or in the militia) under the United States, or this Commonwealth, shall be a member of either house during his continuance in office.

7. II.

No person hereafter convicted of embezzlement of public moneys, bribery, perjury or other infamous crime, shall be eligible to the General Assembly, or capable of holding any office of trust or profit in this Commonwealth.

RHODE ISLAND.

6. IX.

No person holding any office under the government of the United States, or of any other State or country, shall act as a general officer, or as a member of the General Assembly, unless at the time of taking his engagement he shall have resigned his office under such government; and if any general officer, Senator, Representative or judge shall, after his election and engagement, accept any appointment under any other government, his office under this shall be immediately vacated; but this restriction shall not apply to any person appointed to take depositions or acknowledgments of deeds, or other legal instruments, by the authority of any other State or county.

SOUTH CAROLINA.

10. II.

No person shall be eligible to a seat in the Senate or House of Representatives who at the time of his election is not a citizen of the United States; nor anyone who has not been for one year next preceding his election

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a resident of this State and for three months next preceding his election a resident of the county whence he may be chosen; nor anyone who has been convicted of an infamous crime. Senators shall be at least twenty-five and Representatives at least twenty-one years of age.

28. II.

No person shall be eligible to a seat in the General Assembly whilst he holds any office of profit or trust under this State, the United States of America, or any of them, or under any other power, except officers in the militia, magistrates or justices of inferior courts, while such justices receive no salary. And if any member shall accept or exercise any of the said disqualifying offices, he shall vacate his seat: Provided, That this prohibition shall not extend to the members of the first General Assembly.

8. III.

A member of the Senate or of the House of Representatives being chosen and acting as Governor or Lieutenant-Governor, shall thereupon vacate his seat, and another person shall be elected in his stead.

SOUTH DAKOTA.

3. III.

No person shall be eligible to the office of Senator who is not a qualified elector in the district from which he may be chosen, and a citizen of the United States, and who shall not have attained the age of twenty-five years, and who shall not have been a resident of the State or territory for two years next preceding his election.

No person shall be eligible to the office of Representative who is not a qualified elector in the

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district from which he may be chosen, and a citizen of the United States, and who shall not have been a resident of the State or territory for two years next preceding his election, and who shall not have attained the age of twenty-five years.

No judge or clerk of any court, Secretary of State, Attorney-General, State's Attorney, recorder, sheriff or collector of public moneys, members of either house of Congress, or person holding any lucrative office under the United States or this State, or any foreign government, shall be a member of the Legislature: Provided, That appointments in the militia, the offices of notary public and justice of the peace shall not be considered lucrative; nor shall any person holding any office of honor or profit under any foreign government or under the government of the United States, except postmasters whose annual compensation does not exceed the sum of three hundred dollars, hold any office in either branch of the Legislature or become a member thereof.

4. III.

No person who has been, or hereafter shall be, convicted of bribery, perjury or other infamous crime, nor any person who has been, or may be, collector or holder of public moneys who shall not have accounted for and paid over, according to law, all such moneys due from him, shall be eligible to the Legislature or to any office in either branch thereof.

12. III.

No member of the Legislature shall during the term for which he was elected, be appointed or elected to any civil office in the

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State which shall have been created or the emoluments of which shall have been increased during the term for which he was elected, nor shall any member receive any civil appointment from the Governor, the Governor and Senate, or from the Legislature during the term for which he shall have been elected, and all such appointments and all votes given for any such members for any such office or appointment shall be void; nor shall any member of the Legislature during the term for which he shall have been elected, or within one year thereafter, be interested, directly or indirectly, in any contract with the State, or any county thereof, authorized by any law passed during the term for which he shall have been elected.

TENNESSEE.

9. II.

No person shall be a Representative unless he shall be a citizen of the United States of the age of twenty-one years, and shall have been a citizen of this State for three years, and a resident in the county he represents one year immediately preceding the election.

10. II.

No person shall be a Senator unless he shall be a citizen of the United States of the age of thirty years, and shall have resided three years in the State, and one year in the county or district immediately preceding the election. No Senator or Representative shall, during the time for which he was elected, be eligible to any office or place of trust, the appointment of which is vested in the executive or the General Assembly, except to the

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office of trustee of a literary institution.

25. II.

No person who heretofore hath been, or may hereafter be, a collector or holder of public moneys shall have a seat in either house of the General Assembly, or hold any other office under the State government, until such person shall have accounted for and paid into the treasury all sums for which he may be accountable or liable.

26. II.

No judge of any court of law or equity, Secretary of State, Attorney-General, Register, clerk of any court of record, or person holding any office under the authority of the United States, shall have a seat in the General Assembly, nor shall any person in this State hold more than one lucrative office at the same time: Provided, That no appointment in the militia, or to the office of justice of the peace, shall be considered a lucrative office, or operative as a disqualification to a seat in either house of the General Assembly.

1. IX.

Whereas, Ministers of the gospel are, by their profession, dedicated to God and the care of souls, and ought not to be diverted from the great duties of their functions; therefore, no minister of the gospel or priest of any denomination whatever shall be eligible to a seat in either house of the Legislature.

2. IX.

No person who denies the being of God, or a future state of rewards and punishments, shall hold any office in the civil department of this State.

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TEXAS.

7. III.

No person shall be a Representative unless he be a citizen of the United States, and at the time of his election a resident of this State two years next preceding his election, the last year thereof a resident of the district for which he shall be chosen, and shall have attained the age of twenty-one years.

18. III.

No Senator or Representative shall, during the term for which he may be elected, be eligible to any civil office of profit under this State which shall have been created or the emoluments of which may have been increased during such term; no member of either house shall, during the term for which he is elected, be eligible to any office or place, the appointment to which may be made, in whole or in part, by either branch of the Legislature; and no member of either house shall vote for any other member for any office whatever, which may be filled by a vote of the Legislature, except in such cases as are in this Constitution provided. Nor shall any member of the Legislature be interested, either directly or indirectly, in any contract with the State, or any county thereof, authorized by any law passed during the term for which he shall have been elected.

19. III.

No judge of any court, Secretary of State, Attorney-General, clerk of any court of record, or any person holding a lucrative office under the United States, or this State, or any foreign government, shall, during the term for which he is elected or appointed, be eligible to the Legislature.

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20. III.

No person who, at any time, may have been a collector of taxes, or who may have been otherwise intrusted with public money, shall be eligible to the Legislature, or to any office of profit or trust under the State government, until he shall have obtained a discharge for the amount of such collections, or for all public moneys with which he may have been intrusted.

12. XVI.

No member of Congress, nor person holding or exercising any office of profit or trust under the United States, or either of them, or under any foreign power, shall be eligible as a member of the Legislature, or hold or exercise any office of profit or trust under this State.

VERMONT.

18. II.

No person shall be elected a Representative until he has resided two years in this State, the last of which shall be in the town for which he is elected.

26. II.

No person in this State shall be capable of holding or exercising more than one of the following offices at the same time, viz.: Governor, Lieutenant-Governor, Judge of the Supreme Court, Treasurer of the State, member of the Council, member of the General Assembly, Surveyor-General or Sheriff. Nor shall any person holding any office of profit or trust under the authority of Congress be eligible to any appointment in the Legislature, or of holding any executive or judicial office under this State.

VIRGINIA.

5. V.

Any person may be elected Sena-

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tor who, at the time of election, is actually a resident within the district and qualified to vote for members of the General Assembly according to this Constitution; and any person may be elected a member of the House of Delegates who, at the time of election, is actually a resident within the county, city, town or election district, qualified to vote for members of the General Assembly according to this Constitution. But no person holding a salaried office under the State government shall be capable of being elected a member of either house of the General Assembly. The removal of any person elected to either branch of the General Assembly from the city, county, town or district for which he was elected shall vacate his office.

WASHINGTON.

13. II.

No member of the Legislature, during the term for which he was elected, shall be appointed or elected to any civil office in the State which shall have been created, or the emoluments of which shall have been increased during the term for which he was elected.

14. II.

No person being a member of Congress, or holding any civil or military office under the United States or any other power, shall be eligible to be a member of the Legislature; and if any person after his election as a member of the Legislature, shall be elected to Congress or be appointed to any other office, civil or military, under the government of the United States, or any other power, his acceptance thereof shall vacate his seat: Provided, That officers in the

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militia of the State who receive no annual salary, local officers and postmasters whose compensation does not exceed three hundred dollars per annum, shall not be ineligible.

WEST VIRGINIA.**13. VI.**

No person holding a lucrative office under this State, the United States or any foreign government; no member of Congress; no person who is a salaried officer of any railroad company, or who is sheriff, constable, or clerk of any court of record, shall be eligible to a seat in the Legislature.

14. VI.

No person who has been, or hereafter shall be convicted of bribery, perjury or other infamous crime, shall be eligible to a seat in the Legislature. No person who may have collected or been intrusted with public money, whether State or county, township, district or other municipal organization, shall be eligible to the Legislature, or to any office of honor, trust or profit in this State, until he shall have duly accounted for and paid over such money according to law.

15. VI.

No Senator or Delegate, during the term for which he shall have been elected, shall be elect-

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ed or appointed to any civil office of profit under this State, which has been created, or the emoluments of which have been increased during such term, except offices to be filled by election by the people. Nor shall any member of the Legislature be interested, directly or indirectly, in any contract with the State, or any county thereof, authorized by any law passed during the term for which he shall have been elected.

WISCONSIN.**12. IV.**

No member of the Legislature shall, during the term for which he was elected, be appointed or elected to any civil office in the State which shall have been created or the emoluments of which shall have been increased, during the term for which he was elected.

WYOMING.**8. III.**

No Senator or Representative shall, during the term for which he was elected, be appointed to any civil office under the State, and no member of Congress, or other person holding an office (except that of notary public, or an office in the militia) under the United States, or this State, shall be a member of either house during his continuance in office.

Persons Disqualified for Being Members.

PERSONS DISQUALIFIED FOR BEING MEMBERS.

1 Sec. 8. No person shall be eligible to the Legislature,
 2 who at the time of his election, is, or within one hundred days
 3 previous thereto has been, a member of Congress, a civil or
 4 military officer under the United States, or an officer under
 5 any city government. And if any person shall, after his elec-
 6 tion as a member of the Legislature, be elected to Congress,
 7 or appointed to any office, civil or military, under the govern-
 8 ment of the United States, or under any city government, his
 9 acceptance thereof shall vacate his seat.

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DELAWARE.**II.**

No person shall be a Representative who shall not have attained the age of twenty-four years, and have been a citizen and inhabitant of the State three years next preceding the first meeting of the Legislature after his election, and the last year of that term an inhabitant of the county in which he shall be chosen, unless he shall have been absent on the public business of the United States or this State.

FLORIDA.**7. III.**

No person holding a lucrative office or appointment under the United States or this State, shall be eligible to a seat in the Legislature of this State.

ILLINOIS.**3. V.**

No person shall be a Senator who shall not have attained the age

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of twenty-five years, or a Representative who shall not have attained the age of twenty-one years. No person shall be a Senator or a Representative who shall not be a citizen of the United States, and shall not have been for five years a resident of this State, and for two years next preceding his election a resident within the territory forming the district from which he is elected. No judge or clerk of any court, Secretary of State, Attorney-General, State's Attorney, recorder, sheriff, or collector of public revenue, members of either house of Congress, or person holding any lucrative office under the United States or this State, or any foreign government, shall have a seat in the General Assembly: Provided, That appointments in the militia, and the offices of notary public and justice of the peace shall not be considered lucrative. Nor

Persons Disqualified for Being Members.

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shall any person holding any office of honor or profit under any foreign government, or under the government of the United States (except postmasters whose annual compensation does not exceed the sum of three hundred dollars), hold any office of honor or profit under the authority of this State.

15. V.

No person elected to the General Assembly shall receive any civil appointment within this State from the Governor, the Governor and Senate, or from the General Assembly, during the term for which he shall have been elected; and all such appointments, and all votes given for any such members for any such office or appointment, shall be void; nor shall any member of the General Assembly be interested, either directly or indirectly, in any contract with the State, or any county thereof, authorized by any law passed during the term for which he shall have been elected, or within one year after the expiration thereof.

IOWA.

6. III.

No person shall be eligible to the Legislature who shall not have resided one year within the State and be a qualified elector in the district which he may be chosen to represent.

22. III.

No person holding any lucrative office under the United States, or this State, or any other power, shall be eligible to hold a seat in the General Assembly; but officers of the militia, to which there is attached no annual salary, or the office of justice of the peace, or postmaster, whose compensation does not exceed

Sec. Art.

one hundred dollars per annum, or notary public, shall not be deemed lucrative.

NEW JERSEY.

2. IV.

No person shall be a member of the Senate who shall not have attained the age of thirty years, and have been a citizen and inhabitant of the State for four years, and of the county for which he shall be chosen one year next before his election; and no person shall be a member of the General Assembly who shall not have attained the age of twenty-one years, and have been a citizen and inhabitant of the State for two years, and of the county for which he shall be chosen one year next before his election: Provided, That no person shall be eligible as a member of either house of the Legislature who shall not be entitled to the right of suffrage.

NORTH DAKOTA.

28. II.

No person shall be a Senator who is not a qualified elector in the district in which he may be chosen, and who shall not have attained the age of twenty-five years, and have been a resident of the State or Territory for two years next preceding his election.

34. II.

No person shall be a Representative who is not a qualified elector in the district for which he may be chosen, and who shall not have attained the age of twenty-one years, and have been a resident of the State or Territory for two years next preceding his election.

WASHINGTON.

7. II.

No person shall be eligible to the Legislature who shall not be a

Persons Disqualified for Being Members.

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citizen of the United States and a qualified voter in the district for which he is chosen.

WEST VIRGINIA.**12. VI.**

No person shall be a Senator or Delegate who has not for one

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year next preceding his election, been a resident within the district or county from which he is elected; and if a Senator or Delegate remove from the district or county from which he was elected, his seat shall thereby be vacated.

Time of Election Fixed.

TIME OF ELECTION FIXED.

- 1 Sec. 9. The elections of senators and members of assem-
 2 bly, pursuant to the provisions of this Constitution, shall be
 3 held on the Tuesday succeeding the first Monday of Novem-
 4 ber, unless otherwise directed by the Legislature.

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ALABAMA.

3. IV.

Senators and Representatives shall be elected by the qualified electors on the first Monday in August, eighteen hundred and seventy-six, and one-half of the Senators and all of the Representatives shall be elected every two years thereafter, unless the General Assembly shall change the time of holding elections. The terms of the office of the Senators shall be four years, and that of the Representatives two years, commencing on the day after the general election, except as otherwise provided in this Constitution.

• ARKANSAS.

8. III.

The general elections shall be held biennially, on the first Monday of September; but the General Assembly may by law fix a different time.

11. V.

Each house shall appoint its own officers, and shall be sole judge of the qualifications, returns and elections of its own members. A majority of all the members elected to each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent

Sec. Art.

members in such manner and under such penalties as each house shall provide.

CALIFORNIA.

3. IV.

Members of the Assembly shall be elected in the year eighteen hundred and seventy-nine, at the time and in the manner now provided by law. The second election of members of the Assembly after the adoption of this Constitution, shall be on the first Tuesday after the first Monday in November, eighteen hundred and eighty. Thereafter members of the Assembly shall be chosen biennially, and their term of office shall be two years; and each election shall be on the first Tuesday after the first Monday in November, unless otherwise ordered by the Legislature.

7. IV.

Each house shall choose its officers and judge of the qualifications, elections and returns of its members.

8. IV.

A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as each house may provide.

Time of Election Fixed.

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COLORADO.

2. V.

An election for members of the General Assembly shall be held on the first Tuesday in October, in the years of our Lord 1876 and 1878, and in each alternate year thereafter, on such day, at such places in each county as now are or hereafter may be provided by law. The first election for members of the General Assembly under the State organization shall be conducted in the manner prescribed by the laws of Colorado Territory regulating elections for members of the Legislative Assembly thereof. When vacancies occur in either house, the Governor, or person exercising the powers of Governor, shall issue writs of election to fill such vacancies.

7. VII.

The general election shall be held on the first Tuesday of October, in the years of our Lord eighteen hundred and seventy-six and eighteen hundred and seventy-eight, and annually thereafter on such day as may be prescribed by law.

CONNECTICUT.

7. III.

The House of Representatives, when assembled, shall choose a speaker, clerk and other officers. The Senate shall choose its clerk and other officers except the president. A majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent members in such manner, and under such penalties, as each house may prescribe.

8. III.

Each house shall determine the

Sec. Art.

rules of its own proceedings, punish members for disorderly conduct, and, with the consent of two-thirds, expel a member, but not a second time for the same cause; and shall have all other powers necessary for a branch of the Legislature of a free and independent State.

9. VI.

The meetings of the electors for the election of the several State officers by law annually to be elected, and members of the General Assembly of this State, shall be holden on the first Monday of April in each year (altered by amendements of 1875 and 1884).

DELAWARE.

5. II.

Each house shall choose its speaker and other officers; and also each house, whose speaker shall exercise the office of Governor, may choose a speaker pro tempore.

6. II.

Each house shall judge of the elections, returns and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and shall be authorized to compel the attendance of absent members, in such manner, and under such penalties, as shall be deemed expedient.

7. II.

Each house may determine the rules of its proceedings, punish any of its members for disorderly behavior, and with the concurrence of two-thirds, expel a member, and shall have all other powers necessary for a branch of the Legislature of a free and independent State.

Time of Election Fixed.

Sec. Art.

GEORGIA.**4. II.**

Par. II. The first election of members of the General Assembly, under this Constitution, shall take place on the first Wednesday in December, 1877; the second election for the same shall be held on the first Wednesday in October, 1880, and subsequent elections biennially, on that day until the day of election is changed by law.

9. III.**IDAHO.**

Each house when assembled shall choose its own officers, judge of the election, qualifications and returns of its own members, determine its own rules of proceeding, and sit upon its own adjournments; but neither house shall, without the concurrence of the other, adjourn for more than three days, nor to any other place than that in which it may be sitting.

10. III.

A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as such house may provide. A quorum being in attendance, if either house fail to effect an organization within the first four days thereafter, the members of the house so failing shall be entitled to no compensation from the end of the said four days until an organization shall have been effected.

ILLINOIS.**2. V.**

An election for members of the General Assembly shall be held on the Tuesday next after the first Monday in November, in the

Sec. Art.

year of our Lord one thousand eight hundred and seventy, and every two years thereafter, in each county, at such places therein as may be provided by law. When vacancies occur in either house, the Governor, or person exercising the powers of Governor, shall issue writs of election to fill such vacancies.

INDIANA.**14. II.**

All general elections shall be held on the second Tuesday in October.

14. II.

All general elections shall be held on the first Tuesday after the first Monday in November; but township elections may be held at such time as may be provided by law: Provided, That the General Assembly may provide by law for the election of all judges of courts of general or appellate jurisdiction by an election to be held for such officers only, at which time no other officer shall be voted for; and shall also provide for the registration of all persons entitled to vote.

IOWA.**3. III.**

The members of the House of Representatives shall be chosen every second year by the qualified electors of their respective districts, on the second Tuesday in October, except the years of the Presidential election, when the election shall be on the Tuesday next after the first Monday in November; and their term of office shall commence on the first day of January next after their election, and continue two years, and until their successors are elected and qualified.

(By an amendment adopted at the

Time of Election Fixed.

Sec. Art.

general election in 1884, elections now occur uniformly in November.

KANSAS.**2. IV.**

General elections shall be held annually on the Tuesday succeeding the first Monday in November. Township elections shall be held on the first Tuesday in April, until otherwise provided by law.

KENTUCKY.

148.

Not more than one election each year shall be held in this State, or in any city, town, district or county thereof, except as otherwise provided in this Constitution. All elections of State, county, city, town or district officers shall be held on the first Tuesday after the first Monday in November; but no officer of any city, town or county, or of any sub-division thereof, except members of municipal legislative boards, shall be elected in the same year in which members of the House of Representatives of the United States are elected. District or State officers, including members of the General Assembly, may be elected in the same year in which members of the House of Representatives of the United States are elected. All elections by the people shall be between the hours of six o'clock A. M. and seven o'clock P. M., but the General Assembly may change said hours, and all officers of any election shall be residents and voters in the precinct in which they act. The General Assembly shall provide by law that all employers shall allow employes, under reasonable regulations, at least four hours on election days, in which to cast their votes.

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LOUISIANA.**191. (Art.)**

Until otherwise provided by law, the general State election shall be held once every four years on the Tuesday next following the third Monday in April.

Presidential electors and members of Congress shall be chosen or elected in the manner and at the time prescribed by law.

MARYLAND.**7. III.**

The first election for Senators and Delegates shall take place on the Tuesday next after the first Monday in the month of November, eighteen hundred and sixty-seven; and the election for Delegates, and, as nearly as practicable, for one-half of the Senators, shall be held on the same day, in every second year thereafter.

7. XV.

All general elections in this State shall be held on the Tuesday next after the first Monday in the month of November, in the year in which they shall occur; and the first election of all officers who, under this Constitution, are required to be elected by the people, shall, except in cases herein specially provided for, be held on the Tuesday next after the first Monday of November, in the year eighteen hundred and sixty-seven.

MASSACHUSETTS.**5.**

The members of the House of Representatives shall be chosen annually in the month of May, ten days at least before the last Wednesday of that month. (Changed by amendments, Art. X., and changed again by amendments, Art. XV.)

10.

The political year shall begin on

Time of Election Fixed.

Sec. Art.

the first Wednesday of January, instead of the last Wednesday of May; and the General Court shall assemble every year on the said first Wednesday of January, and shall proceed, at that session, to make all the elections, and do all the other acts, which are by the Constitution required to be made and done at the session which has heretofore commenced on the last Wednesday of May. And the General Court shall be dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of the Governor. But nothing herein contained shall prevent the General Court from assembling at such other times as they shall judge necessary, or when called together by the Governor. The Governor, Lieutenant-Governor and Councilors shall also hold their respective offices for one year next following the first Wednesday of January, and until others are chosen and qualified in their stead.

(The meeting for the choice of Governor, Lieutenant-Governor, Senators and Representatives shall be held on the second Monday of November in every year; but meetings may be adjourned, if necessary, for the choice of Representatives, to the next day, and again to the next succeeding day, but no further. But in case a second meeting shall be necessary for the choice of Representatives, such meeting shall be held on the fourth Monday of the same month of November.) (This clause superseded by amendments Art. XV.)

All the other provisions of the Constitution, respecting the elec-

Sec. Art.

tions and proceedings of the members of the General Court, or of any other officers or persons whatever, that have reference to the last Wednesday of May as the commencement of the political year shall be so far altered as to have like reference to the first Wednesday of January.

This article shall go into operation on the first day of October next following the day when the same shall be duly ratified and adopted as an amendment of the Constitution; and the Governor, Lieutenant-Governor, Councilors, Senators, Representatives and all other State officers who are annually chosen, and who shall be chosen for the current year, when the same shall go into operation, shall hold their respective offices until the first Wednesday of January then next following, and until others are chosen and qualified in their stead, and no longer; and the first election of Governor, Lieutenant-Governor, Senators and Representatives, to be had in virtue of this article, shall be had conformably thereunto, in the month of November following the day on which the same shall be in force, and go into operation pursuant to the foregoing provision. All the provisions of the existing Constitution inconsistent with the provisions herein contained are hereby wholly annulled.

15.

The meeting for the choice of Governor, Lieutenant-Governor, Senators and Representatives shall be held on the Tuesday next after the first Monday in November, annually; but in case of a failure to elect Representatives on that day, a second

Time of Election Fixed.

Sec. Art.

meeting shall be holden for that purpose on the fourth Monday of the same month of November.

MICHIGAN.

34. IV.

The election of Senators and Representatives, pursuant to the provisions of this Constitution, shall be held on the Tuesday succeeding the first Monday of November, in the year one thousand eight hundred and fifty-two, and on the Tuesday succeeding the first Monday in November of every second year thereafter.

6. XIX.

The elections for all district or county officers, State Senators or Representatives, within the boundaries defined in this article, shall take place on the Tuesday succeeding the first Monday of November, in the respective years in which they may be required; the county canvass shall be held on the first Monday thereafter, and the district canvass on the third Monday of said November.

MISSISSIPPI.

102. IV.

All general elections for State and county officers shall commence and be holden every four years, on the first Tuesday after the first Monday in November, until altered by law; and the electors, in all cases except in cases of treason, felony and breach of the peace, shall be privileged from arrest during their attendance at elections, and in going to and returning therefrom.

252. XII.

The term of office of all elective officers under this Constitution shall be four years, except as otherwise provided herein. A

Sec. Art.

general election for all elective officers shall be held on the Tuesday next after the first Monday of November, A. D. 1895, and every four (4) years thereafter: Provided, The Legislature may change the day and date of general elections to any day or date in October, November or December.

MISSOURI.

10. IV.

The first election of Senators and Representatives, under this Constitution, shall be held at the general election in the year one thousand eight hundred and seventy-six, when the whole number of Representatives, and the Senators from the districts having odd numbers, who shall compose the first class, shall be chosen; and in one thousand eight hundred and seventy-eight, the Senators from the districts having even numbers, who shall compose half the Senators provided for by the second class; and so on at each succeeding general election,

I. VIII.

The general election shall be held biennially on the Tuesday next following the first Monday in November. The first general election under this Constitution shall be held on that day in the year one thousand eight hundred and seventy-six; but the General Assembly may, by law, fix a different day—two-thirds of all the members of each house consenting thereto.

NEW HAMPSHIRE.

27. (Art.)

The freeholders and other inhabitants of each district, qualified as in this Constitution is provided, shall, biennially, give in their votes for a Senator at some meeting holden in the month of November.

Time of Election Fixed.

Sec. Art.

NORTH CAROLINA.**27. II.**

The election for members of the General Assembly shall be held for the respective districts and counties, at the places where they are now held, or may be directed hereafter to be held, in such manner as may be prescribed by law, on the first Thursday in August, in the year one thousand eight hundred and seventy, and every two years thereafter. But the General Assembly may change the time of holding the elections.

NORTH DAKOTA.**124. V.**

The general elections of the State shall be biennial, and shall be held on the first Tuesday after the first Monday in November; Provided, That the first general election under this Constitution shall be held on the first Tuesday after the first Monday in November, A. D. 1890

OHIO.**2. II.**

Senators and Representatives shall be elected biennially by the electors of the respective counties or districts, on the first Tuesday after the first Monday in November; their term of office shall commence on the first day of January next thereafter, and continue two years.

OREGON.**14. II.**

General elections shall be held on the first Monday of June, biennially.

PENNSYLVANIA.**2. VIII.**

The general election shall be held annually on the Tuesday next following the first Monday of November, but the General As-

Sec. Art.

sembly may by law fix a different day, two-thirds of all the members of each house consenting thereto.

SOUTH CAROLINA.**11. II.**

The first election for Senators and Representatives under the provisions of this Constitution shall be held on the fourteenth, fifteenth and sixteenth days of April of the present year, and the second election shall be held on the third Wednesday in October, eighteen hundred and seventy; and forever thereafter on the same day in every second year, in such manner and at such places as the General Assembly may hereafter provide.

That section 11, article II, of the Constitution of this State, as amended, be, and the same is hereby, stricken out and the following inserted in lieu thereof:

"The general election for Senators and Representatives shall be held in every second year, in such manner, at such time and at such places as the Legislature may provide." (Ratified December 21, 1882.)

SOUTH DAKOTA.**4. VII.**

All general elections shall be biennial.

TEXAS.**27. III.**

Elections for Senators and Representatives shall be general throughout the State, and shall be regulated by law.

VERMONT.**8. III.**

The House of Representatives of the freemen of this State shall consist of persons most noted

Time of Election Fixed.

Sec. Art.

for wisdom and virtue, to be chosen by ballot by the freemen of every town in this State, respectively, on the first Tuesday of September annually, forever.

VIRGINIA.

2. V.

The House of Delegates shall be elected biennially by the voters of the several cities and counties on the Tuesday succeeding the first Monday in November, and shall, from and after the Tuesday succeeding the first Monday in November, eighteen hundred and seventy-nine, consist of not more than one hundred and not less than ninety members.

WASHINGTON.

4. II.

Members of the House of Representatives shall be elected in the year eighteen hundred and eighty-nine, at the time and in the manner provided by this Constitution, and shall hold their offices for the term of one year, and until their successor shall be elected.

5. II.

The next election of the members of the House of Representatives after the adoption of this Constitution, shall be on the first Tuesday after the first Monday of November, eighteen hundred and ninety, and thereafter, members of the House of Representatives shall be elected biennially and their term of office shall be two years, and each election shall be on the first Tuesday after the first Monday in November, unless otherwise changed by law.

WEST VIRGINIA.

7. IV.

(As amended—See Acts 1883, p. 137.)
The general elections of State

Sec. Art.

and county officers, and of members of the Legislature, shall be held on the Tuesday next after the first Monday in November, until otherwise provided by law. The terms of such officers, not elected, or appointed to fill a vacancy, shall, unless herein otherwise provided, begin on the first day of January; and of the members of the Legislature on the first day of December next succeeding their election; to fill vacancies, shall be for the unexpired term. When vacancies occur prior to any general election, they shall be filled by appointments, in such manner as may be prescribed herein, or by general law, which appointments shall expire at such time after the next general election as the person so elected to fill such vacancy shall be qualified.

WISCONSIN.

4. IV.

The members of the Assembly shall be chosen annually by single districts on the Tuesday succeeding the first Monday in November, by the qualified electors of the several districts; such districts to be bounded by county, precinct, town or ward lines, to consist of contiguous territory, and be in as compact form as practicable.

WYOMING.

5. III.

Members of the Senate and House of Representatives shall be elected on the day provided by law for the general election of a member of Congress, and their term of office shall begin on the first Monday of January thereafter.

17. VI.

All general elections for State

Time of Election Fixed.

Sec. Art.

and county officers, for members of the House of Representatives and the Senate of the State of Wyoming, and Representatives to the Congress of the United States, shall be held on the Tuesday next following the first Monday in November of each even year. Special elections

Sec. Art.

may be held as now, or as may hereafter be provided by law. All State and county officers elected at a general election shall enter upon their respective duties on the first Monday in January next following the date of their election, or as soon thereafter as may be possible.

Powers of Each House.

POWERS OF EACH HOUSE.

1 Sec. 10. A majority of each house shall constitute a
 2 quorum to do business. Each house shall determine the rules
 3 of its own proceedings, and be the judge of the elections,
 4 returns and qualifications of its own members; shall choose
 5 its own officers; and the Senate shall choose a temporary
 6 president to preside in case of the absence or impeachment of
 7 the Lieutenant-Governor, or when he shall refuse to act as
 8 president, or shall act as Governor.

Sec. Art.

ALABAMA

22. I.

That no power of suspending laws shall be exercised, except by the General Assembly.

8. IV.

The Senate, at the beginning of each regular session, and at such other times as may be necessary, shall elect one of its members President thereof, and the House of Representatives, at the beginning of each regular session, shall elect one of its members as Speaker, and the President of the Senate and the Speaker of the House of Representatives shall hold their offices, respectively until their successors are elected and qualified. Each House shall choose its own officers, and shall judge of the election returns and qualifications of its members.

10. IV.

A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn, from day to day, and

Sec. Art.

may compel the attendance of absent members, in such manner and under such penalties, as each house may provide.

11. IV.

Each house shall have power to determine the rules of its proceedings, and to punish its members, or other persons, for contempt or disorderly behavior in its presence, to enforce obedience to its process, to protect its members against violence, or offers of bribes or corrupt solicitation, and with the concurrence of two-thirds of either house to expel a member, but not a second time for the same cause, and shall have all the powers necessary for the Legislature of a free State.

21. IV.

Every bill shall be read on three different days in each house, and no bill shall become a law unless, on its final passage, it be read at length and the vote be taken by yeas and nays, the names of

Powers of Each House.

Sec. Art.

the members voting for and against the same be entered on the journals, and a majority of each house be recorded thereon as voting in its favor, except as otherwise provided in this Constitution.

27. IV.

The presiding officer of each House shall in the presence of the House over which he presides, sign all bills and joint resolutions passed by the General Assembly, after the titles have been publicly read immediately before signing, and the date of such signing shall be entered on the journal.

28. IV.

The General Assembly shall prescribe by law the number, duties and compensation of the officers and employes of each house; and no payment shall be made from the State treasury, or be in any way authorized to any person, except to an acting officer or employe, elected or appointed in pursuance of law.

30. IV.

All stationery, printing, paper and fuel used in the legislative and other departments of government shall be furnished, and the printing, binding and distribution of laws, journals, department reports, and all other printing and binding, and repairing and refurnishing the halls and rooms used for the meetings of the General Assembly and its committees, shall be performed under contract, to be given to the lowest responsible bidder below a maximum price, and under such regulations as may be prescribed by law; no member or officer of any department of the government shall be in any way interested in such contracts, and all such

Sec. Art.

contracts shall be subject to the approval of the Governor, State Auditor and State Treasurer.

45. IV.

It shall be the duty of the General Assembly to pass such laws as may be necessary and proper to decide differences by arbitrators, to be appointed by the parties who may choose that mode of adjustment.

46. IV.

It shall be the duty of the General Assembly, at its first session after the ratification of this Constitution, and within every subsequent period of ten years, to make provision by law for the revision, digesting and promulgating of the public statutes of the State of a general nature, both civil and criminal.

47. IV.

The General Assembly shall pass such penal laws as they may deem expedient to suppress the evil practice of duelling.

48. IV.

It shall be the duty of the General Assembly to regulate by law the cases in which deductions shall be made from the salaries of public officers, for neglect of duty in their official capacities, and the amount of such deductions.

10. XIV.

The General Assembly shall have the power to alter, revoke or amend any charter of incorporation now existing and revokable at the ratification of this Constitution, or any that may hereafter be created, whenever, in their opinion, it may be injurious to the citizens of this State, in such manner, however, that no injustice shall be done to the incorporations. No law hereafter enacted shall create, renew or

Powers of Each House.

Sec. Art.

extend the charter of more than one corporation.

22. V.

The General Assembly shall pass laws to correct abuses and prevent unjust discrimination and extortion in the rates of freights and passenger tariffs on railroads, canals and rivers in this State.

ARKANSAS.

12. V.

No power of suspending or setting aside the law or laws of the State shall ever be exercised except by the General Assembly.

1. IV.

The General Assembly shall pass such laws as will foster and aid the agricultural, mining and manufacturing interests of the State, and may create a bureau to be known as the mining, manufacturing and agricultural bureau.

12. V.

Each house shall have the power to determine the rules of its proceedings; and punish its members or other persons, for contempt or disorderly behavior in its presence; enforce obedience to its process; to protect its members against violence or offers of bribes or private solicitations; and, with the concurrence of two-thirds, expel a member, but not the second time for the same cause. A member expelled for corruption shall not thereafter be eligible to either house; and punishment for contempt or disorderly behavior shall not bar an indictment for the same offense. Each house shall keep a journal of its proceedings, and from time to time publish the same, except such parts as require secrecy; and the yeas and nays on any ques-

Sec. Art.

tion shall at the desire of any five members be entered on the journals.

18. V.

Each house, at the beginning of every regular session of the General Assembly, and whenever a vacancy may occur, shall elect from its members a presiding officer, to be styled respectively, the President of the Senate and the Speaker of the House of Representatives; and whenever, at the close of any session, it may appear that the term of the member elected president of the Senate will expire before the next regular session, the Senate shall elect another president from those members whose terms of office continue over, who shall qualify and remain president of the Senate until his successor may be elected and qualified; and who, in the case of a vacancy in the office of Governor, shall perform the duties and exercise the powers of Governor, as elsewhere herein provided.

22. V.

Every bill shall be read at length on three different days in each house, unless the rules be suspended by two-thirds of the house, when the same may be read a second or third time on the same day; and no bill shall become a law unless, on its final passage, the vote be taken by yeas and nays, the names of the persons voting for and against the same be entered on the journal, and a majority of each house be recorded thereon as voting in its favor.

2. X.

The General Assembly, when deemed expedient, may create the office of State Geologist, to

Powers of Each House.

Sec. Art.

be appointed by the Governor, by and with the advice and consent of the Senate, who shall hold his office for such time and perform such duties and receive such compensation as may be prescribed by law: Provided, That he shall be at all times subject to removal by the Governor for incompetency or gross neglect of duty.

3. X.

The General Assembly may, by general law, exempt from taxation for the term of seven years from the ratification of this Constitution the capital invested in any or all kinds of mining and manufacturing business in this State, under such regulations and restrictions as may be prescribed by law.

7. XVII.

The General Assembly shall prevent by law the granting of free passes by any railroad or transportation company to any officer of this State, legislative, executive or judicial.

13. XIX.

All contracts for a greater rate of interest than ten per centum per annum shall be void, as to principal and interest, and the General Assembly shall prohibit the same by law; but when no rate of interest is agreed upon the rate shall be six per centum per annum.

CALIFORNIA.

9. IV.

Each house shall determine the rule of its proceeding, and may, with the concurrence of two-thirds of all the members elected, expel a member.

24. XII.

The Legislature shall pass all laws necessary for the enforce-

Sec. Art.

ment of the provisions of this article.

7. XIII.

The Legislature shall have the power to provide by law for the payment of all taxes on real property by installments.

8. XIII.

The Legislature shall, by law, require each taxpayer in this State to make and deliver to the county assessor, annually, a statement, under oath, setting forth specifically all the real and personal property owned by such taxpayer, or in his possession, or under his control, at 12 o'clock meridian on the first Monday of March.

6. XV.

The power of taxation shall never be surrendered or suspended by any grant or contract to which the State shall be a party.

1. XVII.

The Legislature shall protect, by law, from forced sale, a certain portion of the homestead and other property of all heads of families.

COLORADO.

10. V.

The Senate shall, at the beginning and close of each regular session, and at such other times as may be necessary, elect one of its members president pro tempore. The House of Representatives shall elect one of its members as speaker. Each house shall choose its other officers, and shall judge of the election and qualification of its members.

11. V.

A majority of each house shall constitute a quorum, but a smaller number may adjourn from day to day, and compel

Powers of Each House.

Sec. Art.

the attendance of absent members.

12. V.

Each house shall have power to determine the rules of its proceedings and punish its members or other persons for contempt or disorderly behavior in its presence; to enforce obedience to its process; to protect its members against violence, or offers of bribes, or private solicitation, and, with the concurrence of two-thirds, expel a member, but not a second time for the same cause, and shall have all other powers necessary for the Legislature of a free State. A member, expelled for corruption, shall not thereafter be eligible to either house of the same General Assembly, and punishment for contempt or disorderly behavior shall not bar an indictment for the same offense.

22. V.

Every bill shall be read at length on three different days in each house; all substantial amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill; and no bill shall become a law except by vote of a majority of all the members elected to each house, nor unless, on its final passage, the vote be taken by ayes and noes, and the names of those voting be entered on the journal.

26. V.

The presiding officer of each house shall, in the presence of the house over which he presides, sign all bills and joint resolutions passed by the General Assembly, after their titles shall have been publicly read, immediately before signing; and the

Sec. Art.

fact of signing shall be entered on the journal.

27. V.

The General Assembly shall prescribe by law the number, duties and compensation of the officers and employees of each house; and no payment shall be made from the State treasury or be in any way authorized to any person except to an acting officer or employee elected or appointed in pursuance of law.

29. V.

All stationery, printing, paper, and fuel used in the legislative and other departments of government shall be furnished, and the printing, binding and distributing of the laws, journals, department reports and other printing and binding, and the repairing and furnishing the halls and rooms used for the meeting of the General Assembly and its committees, shall be performed under contract, to be given to the lowest responsible bidder below such maximum price and under such regulations as may be prescribed by law. No member or officer of any department of the government shall be in any way interested in any such contract; and all such contracts shall be subject to the approval of the Governor and State Treasurer.

26. VI.

The General Assembly shall have power to provide for creating such police magistrates for cities and towns as may be deemed from time to time necessary or expedient, who shall have jurisdiction of all cases arising under the ordinances of such cities and towns respectively.

Powers of Each House.

Sec. Art.

9. X.

The power to tax corporations and corporate property, real and personal, shall never be relinquished or suspended.

3. XVIII.

The General Assembly shall have the power to alter, revoke or annul any charter of incorporation now existing and revocable at the adoption of this Constitution, or any that may hereafter be created, whenever in their opinion it may be injurious to the citizens of the State, in such manner, however, that no injustice shall be done to the corporators.

DELAWARE.

6. II.

Each house shall be the judge of the elections, returns and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and shall be authorized to compel the attendance of absent members, in such manner and under such penalties as shall be deemed expedient.

FLORIDA.

6. III.

Each house shall judge of the qualifications, elections and returns of its own members, choose its own officers, and determine the rules of its proceedings. The Senate shall, at the convening of each regular session thereof, choose from among its own members a permanent president of the Senate, who shall be its presiding officer. The House of Representatives shall, at the convening of each regular session thereof, choose from among its own members a permanent speaker of the House

Sec. Art.

of Representatives, who shall be its presiding officer. Each house may punish its own members for disorderly conduct; and each house, with the concurrence of two-thirds of all of its members present, may expel a member.

6. III.

The Legislature shall enact such laws as may be necessary to enforce the provisions of this article.

9. III.

Either house during the session may punish by fine or imprisonment any person not a member who shall have been guilty of disorderly or contemptuous conduct in its presence, or of a refusal to obey its lawful summons, but such imprisonment shall not exceed beyond the final adjournment of the session.

10. III.

Either house shall have power to compel the attendance of witnesses upon any investigations held by itself, or by any of its committees; the manner of the exercise of such powers shall be provided by law.

11. III.

A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the presence of absent members in such manner and under such penalties as it may prescribe.

17. III.

Every bill shall be read by sections on three several days in each house, unless, in case of emergency, two-thirds of the house where such bill may be pending shall deem it expedient to dispense with this rule; but the reading of a bill by sections, on its final passage, shall in no

Powers of Each House.

Sec. Art.

case be dispensed with, and the vote on the final passage of every bill or joint resolution shall be taken by yeas and nays, to be entered on the journal of each house: Provided, That any general revision of the entire laws embodied in any bill shall not be required to be read by sections upon its final passage, and its reading may be wholly dispensed with by a two-thirds vote; and a majority of the members present in each house shall be necessary to pass every bill or joint resolution; and all bills or joint resolutions so passed shall be signed by the presiding officers of the respective houses, and by the secretary of the Senate and the clerk of the House of Representatives.

31. III.

The Legislature shall elect United States Senators in the manner prescribed by the Congress of the United States and by this Constitution.

1. IX.

The Legislature shall provide for a uniform and equal rate of taxation, and shall prescribe such regulations as shall secure a just valuation of all property, both real and personal, excepting such property as may be exempted by law for municipal, educational, literary, scientific, religious or charitable purposes.

22. XVI.

The Legislature shall provide for giving to mechanics and laborers an adequate lien on the subject-matter of their labor.

30. XVI.

The Legislature is vested with full power to pass laws for the correction of certain abuses and to prevent unjust discrimination and excessive charges by persons

Sec. Art.

and corporations engaged as common carriers in transporting persons and property, or performing other services of a public nature; and shall provide for enforcing such laws by adequate penalties or forfeitures.

GEORGIA.

2. I.

Lobbying is declared to be a crime, and the General Assembly shall enforce this provision by suitable penalties.

2. I.

The General Assembly shall have the power to provide for the punishment of fraud; and shall provide, by law, for reaching property of the debtor concealed from the creditor.

4. III.

A majority of each house shall constitute a quorum to transact business; but a smaller number may adjourn from day to day and compel the presence of its members as each house may provide.

5. III.

The presiding officer of the Senate shall be styled the President of the Senate, and shall be elected viva voce from the Senators.

6. III.

The presiding officer of the House of Representatives shall be styled the Speaker of the House of Representatives, and shall be elected viva voce from the body.

7. III.

Each house shall be the judge of the election, returns and qualifications of its members, and shall have power to punish them for disorderly behavior, or misconduct, by censure, fine, imprisonment, or expulsion; but no member shall be expelled, except by a vote of two-thirds

Powers of Each House.

Sec. Art.

of the house to which he belongs.

7. III.

Each house may punish by imprisonment, not extending beyond the session, any person not a member who shall be guilty of a contempt by any disorderly behavior in its presence, or who shall rescue, or attempt to rescue, any person arrested by order of either house.

12. III.

The General Assembly shall, from time to time, enact laws to compel all fire insurance companies doing business in this State, whether chartered by this State or otherwise, to deposit reasonable securities with the Treasurer of this State, to secure the people against loss by the operations of said companies.

12. III.

The General Assembly shall compel all insurance companies in this State, on doing business therein under proper penalties, to make semi-annual reports to the Governor, and print the same, at their own expense, for the information and protection of the people.

7. III.

Every bill, before it shall pass, shall be read three times and on three separate days in each house, unless in case of actual invasion or insurrection.

7. III.

All acts shall be signed by the President of the Senate and the Speaker of the House of Representatives, and no bill, ordinance or resolution intended to have the effect of a law, which shall have been rejected by either house, shall be again proposed

Sec. Art.

during the same session, under the same or any other title, without the consent of two-thirds of the house by which the same was rejected..

7. III.

The General Assembly shall have power to make all laws and ordinances consistent with this Constitution, and not repugnant to the Constitution of the United States, which they shall deem necessary and proper for the welfare of the State.

1. V.

The General Assembly may have power to provide by law for filling unexpired terms by special elections.

3. VI.

The successors to the present incumbents shall be elected by the General Assembly as follows: To the half (as near as may be) whose commissions are the oldest, in the year 1878; and to the others in the year 1880. All subsequent elections shall be at the session of the General Assembly next preceding the expiration of the terms of incumbents, except elections to fill vacancies. The day of election may be fixed by the General Assembly.

4. VI.

The General Assembly may provide for an appeal from one jury in the Superior Courts and City to another, and the said courts may grant new trials on legal grounds.

4. VI.

The General Assembly may provide by law for the appointment of some proper person to preside in cases where the presiding judge is, from any cause, disqualified.

13. VI.

The General Assembly may, at

Powers of Each House.

Sec. Art.

any time, by a two-thirds vote of each branch, prescribe other and different salaries for any, or all, of the above officers, but no such change shall affect the officers then in commission.

18. VI.

It shall be the duty of the General Assembly, by general laws, to prescribe the manner of fixing compensation of jurors in all counties in this State.

19. VI.

The General Assembly shall have power to provide for the creation of county commissioners in such counties as may require them, and to define their duties.

1. VII.

The powers of taxation over the whole State shall be exercised by the General Assembly for the following purposes only:

For the support of the State government and the public institutions.

For educational purposes, in instructing children in the elementary branches of an English education only.

To pay the interest on the public debt.

To pay the principal of the public debt.

To suppress insurrection, to repel invasion, and defend the State in time of war.

To supply the soldiers who lost a limb, or limbs, in the military service of the Confederate States with substantial artificial limbs during life; and to make suitable provision for such Confederate soldiers as may have otherwise been disabled or permanently injured in such service; and for the widows of such Confederate soldiers as may have died in the service of Confederate States, or since

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from wounds received therein, or disease contracted therein.

2. VII.

All taxation shall be uniform upon the same class of subjects, and ad valorem on all property subject to be taxed within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws. The General Assembly may, however, impose a tax upon such domestic animals as, from their nature and habits, are destructive of other property.

2. VII.

The General Assembly may, by law, exempt from taxation all public property, places of religious worship or burial; all institutions of purely public charity; all buildings erected for and used as a college, incorporated academy, or other seminary of learning; the real and personal estate of any public library, and that of any other literary association, used by or connected with such library; all books and philosophical apparatus; and all paintings and statuary of any company or association, kept in a public hall and not held as merchandise, or for purposes of sale or gain: Provided, The property so exempted be not used for purposes of private or corporate profit or income.

IDAHO.

11. III.

Each house may, for good cause shown, with the concurrence of two-thirds of all the members, expel a member.

24. III.

The first concern of all good government is the virtue and sobriety of the people and the purity of the home. The Legislature

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should further all wise and well directed efforts for the promotion of temperance and morality.

8. VII.

The power to tax corporations or corporate property, both real and personal, shall never be relinquished or suspended, and all corporations in this State or doing business therein, shall be subject to taxation for State, county, school, municipal, and other purposes, on real and personal property owned or used by them, and not by this Constitution exempted from taxation within the territorial limits of the authority levying the tax.

15. VII.

The Legislature shall provide by law such a system of county finance as shall cause the business of the several counties to be conducted on a cash basis. It shall also provide that whenever any county shall have any warrants outstanding and unpaid, for the payment of which there are no funds in the county treasury, the county commissioners, in addition to other taxes provided by law, shall levy a special tax, not to exceed ten (10) mills on the dollar, of taxable property as shown by the last preceding assessment, for the creation of a special fund for the redemption of said warrants; and after the levy of such special tax, all warrants issued before such levy shall be paid exclusively out of said fund. All moneys in the county treasury at the end of each fiscal year, not needed for current expenses, shall be transferred to said redemption fund.

16. VII.

The Legislature shall pass all laws necessary to carry out the provisions of this article.

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9. IX.

The Legislature may require by law that every child of sufficient mental and physical ability shall attend the public school throughout the period between the ages of six and eighteen years, for a time equivalent to three years, unless educated by other means.

5. XVIII.

The Legislature shall establish, subject to the provisions of this article, a system of county governments which shall be uniform throughout the State; and by general laws shall provide for township or precinct organization.

ILLINOIS.

9. V.

The sessions of the General Assembly shall commence at twelve o'clock, noon, on the Wednesday next after the first Monday in January, in the year next ensuing the election of members thereof, and at no other time, unless as provided by this Constitution. A majority of the members elected to each house shall constitute a quorum. Each house shall determine the rules of its proceedings, and be the judge of the election, returns and qualifications of its members; shall choose its own officers; and the Senate shall choose a temporary president to preside when the Lieutenant-Governor shall not attend as president, or shall act as Governor. The Secretary of State shall call the House of Representatives to order at the opening of each new assembly, and preside over it until a temporary presiding officer thereof shall have been chosen and shall have taken his seat. No member shall be expelled by either house, except by a vote of two-thirds of all the

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members elected to that house, and no member shall be twice expelled for the same offense. Each house may punish by imprisonment any person not a member who shall be guilty of disrespect to the house by disorderly or contemptuous behavior in its presence. But no such imprisonment shall extend beyond twenty-four hours at one time, unless the person shall persist in such disorderly or contemptuous behavior.

13. V.

Every bill shall be read at large on three different days, in each house; and the bill and all amendments thereto shall be printed before the vote is taken on its final passage; and every bill, having passed both houses, shall be signed by the speakers thereof. No act hereafter passed shall embrace more than one subject, and that shall be expressed in the title. But if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be so expressed; and no law shall be revived or amended by reference to its title only, but the law revived, or the section amended, shall be inserted at length in the new act. And no act of the General Assembly shall take effect until the first day of July next after its passage, unless, in case of emergency (which emergency shall be expressed in the preamble or body of the act), the General Assembly shall, by a vote of two-thirds of all the members elected to each house, otherwise direct.

25. V.

The General Assembly shall provide, by law, that the fuel, sta-

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tionery and printing paper furnished for the use of the State; the copying, printing, binding, and distributing the laws and journals, and all other printing ordered by the General Assembly, shall be let by contract to the lowest responsible bidder; but the General Assembly shall fix a maximum price; and no member thereof or other officer of the State shall be interested, directly or indirectly, in such contract. But all such contracts shall be subject to the approval of the Governor, and if he disapproves the same, there shall be a re-letting of the contract, in such manner as shall be prescribed by law.

29. V.

It shall be the duty of the General Assembly to pass such laws as may be necessary for the protection of operative miners, by providing for ventilation, when the same may be required, and the construction of escape-shafts or such other appliances as may secure safety in all coal mines, and to provide for the enforcement of said laws by such penalties and punishment as may be deemed proper.

30. V.

The General Assembly may provide for establishing and opening roads and cartways connected with a public road for private or public use.

31. V.

The General Assembly may pass laws permitting the owners of land to construct drains, ditches and levees for agricultural, sanitary or mining purposes, across the lands of others, and provide for the organization of drainage districts, and vest the corporate authorities thereof with power to

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construct and maintain levees, drains and ditches, and to keep in repair all drains, ditches and levees heretofore constructed under the laws of this State, by special assessments upon the property benefited thereby.

1. IX.

The General Assembly shall provide such revenue as may be needful by levying a tax, by valuation, so that every person and corporation may pay a tax in proportion to the value of his, her or its property—such value to be ascertained by some person or persons elected or appointed in such manner as the General Assembly may direct, and not otherwise; but the General Assembly shall have the power to tax peddlers, auctioneers, brokers, hawkers, merchants, commission merchants, showmen, jugglers, inn-keepers, grocery-keepers, liquor dealers, toll bridges, ferries, insurance, telegraph and express interests or business, venders of patents and persons or corporations owning or using franchises and privileges, in such a manner as it shall from time to time direct by general law, uniform as to the class upon which it operates.

2. IX.

The specification of the objects and subjects of taxation shall not deprive the General Assembly of the power to require other subjects or objects to be taxed, in such manner as may be consistent with the principles of taxation fixed in this Constitution.

4. IX.

The General Assembly shall provide, in all cases where it may be necessary to sell real estate for the non-payment of taxes or special assessments, for State,

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county, municipal or other purposes that a return of such unpaid taxes or assessments shall be made to some general officer of the county having authority to receive State and county taxes or assessments and there shall be no sale of said property for any of said taxes or assessments but by said officer, upon the order or judgment of some court of record.

5. II.

The right of redemption from all sales of real estate for the non-payment of taxes or special assessments of any character whatever, shall exist in favor of owners and persons interested in such real estate for a period of not less than two years from such sales thereof. And the General Assembly shall provide by law for reasonable notice to be given to the owners or parties interested, by publication or otherwise, of the fact of the sale of the property for such taxes or assessments, and when the time of redemption shall expire: Provided, That occupants shall in all cases be served with personal notice before the time of redemption expires.

INDIANA.

10. IV.

Each house, when assembled, shall choose its own officers (the president of the Senate excepted), judge the elections, qualifications and returns of its own members, determine its rules of proceeding, and sit upon its own adjournment. But neither house shall, without the consent of the other, adjourn for more than three days, nor to any place other than that in which it may be sitting.

11. IV.

Two-thirds of each house shall con-

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stitute a quorum to do business; but a smaller number may meet, adjourn from day to day, and compel the attendance of absent members. A quorum being in attendance, if either house fail to effect an organization within the first five days thereafter, the members of the house so failing shall be entitled to no compensation from the end of the said five days, until an organization shall have been effected.

14. IV.

Either house may punish its members for disorderly behavior, and may, with the concurrence of two-thirds, expel a member; but not a second time for the same cause.

15. IV.

Either House during its session, may punish, by imprisonment, any person not a member, who shall have been guilty of disrespect to the House, by disorderly or contemptuous behavior in its presence; but such imprisonment shall not, at any time, exceed twenty-four hours.

16. IV.

Each house shall have all powers necessary for a branch of the legislative department of a free and independent State.

18. IV.

Every bill shall be read by sections on three several days in each house, unless, in case of emergency, two-thirds of the house where such bill may be depending shall, by a vote of yeas and nays, deem it expedient to dispense with this rule; but the reading of a bill by sections, on its final passage, shall in no case be dispensed with; and the vote on the passage of every bill or joint resolution shall be taken by yeas and nays.

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25. IV.

A majority of all the members elected to each house shall be necessary to pass every bill or joint resolution; and all bills and joint resolutions so passed shall be signed by the presiding officers of the respective houses.

26. IV.

Any member of either house shall have the right to protest, and to have his protest, with his reasons for dissent, entered on the journal.

11. V.

Whenever the Lieutenant-Governor shall act as Governor, or shall be unable to attend as President of the Senate, the Senate shall elect one of its own members as President for the occasion.

1. IX.

It shall be the duty of the General Assembly to provide by law for the support of institutions for the education of the deaf and dumb, and of the blind; and, also, for the treatment of the insane.

1. IX.

The General Assembly shall provide, by law, for a uniform and equal rate of assessment and taxation; and shall prescribe such regulations as shall secure a just valuation for taxation of all property, both real and personal, excepting such only for municipal, educational, literary, scientific, religious or charitable purposes, as may be specially exempted by law.

2. X.

The General Assembly shall provide houses of refuge for the correction and reformation of juvenile offenders.

IOWA.

7. III.

Each house shall choose its own

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officers, and judge of the qualification, election and return of its own members. A contested election shall be determined in such manner as shall be directed by law.

8. III.

A majority of each house shall constitute a quorum to transact business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as each house may provide.

10. III.

Every member of the General Assembly shall have the liberty to dissent from, or protest against any act or resolution which he may think injurious to the public, or an individual, and have the reasons for his dissent entered on the journals; and the yeas and nays of the members of either house, on any question, shall, at the desire of any two members present, be entered on the journals.

KANSAS.

8. II.

A majority of each house shall constitute a quorum. Each house shall establish its own rules, and shall be judge of the elections, returns and qualifications of its own members.

11. II.

Any member of either house shall have the right to protest against any act or resolution; and such protest shall, without delay or alteration, be entered on the journal.

15. II.

Every bill shall be read on three separate days in each house, unless in case of emergency. Two-thirds of the house where such bill is pending may, if deemed

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expedient, suspend the rules; but the reading of the bill by sections, on its final passage, shall in no case be dispensed with.

21. II.

The Legislature may confer upon tribunals transacting the county business of the several counties such powers of local legislation and administration as it shall deem expedient.

1. IX.

The Legislature shall provide for organizing new counties, locating county seats, and changing county lines; but no county seat shall be changed without the consent of a majority of the electors of the county; nor any county organized, nor the lines of any county changed so as to include an area of less than four hundred and thirty-two square miles.

1. XI.

The Legislature shall provide for a uniform and equal rate of assessment and taxation; but all property used exclusively for State, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, and personal property to the amount of at least two hundred dollars for each family, shall be exempted from taxation.

2. I.

The Legislature shall provide for taking the notes and bills discounted or purchased, moneys loaned, and other property, effects, or dues of every description (without deduction) of all banks now existing, or hereafter created, and of all bankers; so that of all property employed in banking shall always bear a burden of taxation equal to that imposed upon the property of individuals.

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3. XI.

The Legislature shall provide, at each regular session, for raising sufficient revenue to defray the current expenses of the State for two years.

4. XV.

All public printing shall be done by a State Printer, who shall be elected by the Legislature in joint session, and shall hold his office for two years, and until his successor shall be elected and qualified. The joint session of the Legislature for the election of a State Printer shall be held on the third Tuesday of January, A. D. 1869, and every two years thereafter. All public printing shall be done at the capital, and the price for the same shall be regulated by law.

KENTUCKY.

15.

No power to suspend laws shall be exercised, unless by the General Assembly or its authority.

34.

The House of Representatives shall choose its speaker and other officers, and the Senate shall have power to choose its officers biennially.

37.

Not less than a majority of the members of each house of the General Assembly shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and shall be authorized by law to compel the attendance of absent members in such manner and under such penalties as may be prescribed by law.

38.

Each house of the General Assembly shall judge of the qualifications, elections and returns

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of its members, but a contested election shall be determined in such manner as shall be directed by law.

39.

Each house of the General Assembly may determine the rules of its proceedings, punish a member for disorderly behavior, and, with the concurrence of two-thirds, expel a member, but not a second time for the same cause, and may punish for contempt any person who refuses to attend as a witness, or to bring any paper to be used as evidence before the General Assembly, or either house thereof, or a committee of either, or to testify concerning any matter which may be a part of inquiry by the General Assembly, or offers or gives a bribe to a member of the General Assembly, or attempts by other corrupt means or device to control or influence a member to cast his vote or withhold the same. The punishment and mode of proceeding for contempt in such cases shall be prescribed by law, but the term of imprisonment in any such case shall not extend beyond the session of the General Assembly.

40.

Each house of the General Assembly shall keep and publish daily a journal of its proceedings; and the yeas and nays of the members on any question shall, at the desire of any two of the members elected, be entered on the journal.

46.

No bill shall be considered for final passage unless the same has been reported by a committee and printed for the use of the members. Every bill shall be read

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at length on three different days in each house; but the second and third readings may be dispensed with by a majority of all the members elected to the house in which the bill is pending. But whenever a committee refuses or fails to report a bill submitted to it in a reasonable time, the same may be called up by any member, and be considered in the same manner it would have been considered if it had been reported. No bill shall become a law unless, on its final passage, it receives the votes of at least two-fifths of the members elected to each house, and a majority of the members voting, the vote to be taken by yeas and nays and entered in the journal: Provided, Any act or resolution for the appropriation of money or the creation of a debt shall, on its final passage, receive the votes of a majority of all the members elected to each house.

104.

The General Assembly may abolish the office of assessor, and provide that the assessment of property shall be made by other officers; but it shall have power to re-establish the office of assessor and prescribe his duties. No person shall be eligible to the office of assessor two consecutive terms.

108.

The General Assembly may, at any time after the expiration of six years from the adoption of this Constitution, abolish the office of Commonwealth's Attorney, to take effect upon the expiration of the terms of the incumbents, in which event the duties of said office shall be discharged by county attorneys.

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171.

The General Assembly shall provide by law an annual tax, which, with other resources, shall be sufficient to defray the estimated expenses of the commonwealth for each fiscal year. Taxes shall be levied and collected for public purposes only. They shall be uniform upon all property subject to taxation within the territorial limits of the authority levying the tax; and all taxes shall be levied and collected by general laws.

205.

The General Assembly shall, by general laws, provide for the revocation or forfeiture of the charters of all corporations guilty of abuse or misuse of their corporate powers, privileges or franchises, or whenever said corporations become detrimental to the interest and welfare of the Commonwealth or its citizens.

224.

The General Assembly may provide by a general law what officers shall execute a bond for the faithful discharge of their duties, and fix the liability therein.

231.

The General Assembly may, by law, direct in what manner and in what courts suits may be brought against the Commonwealth.

236.

The General Assembly shall, by law, prescribe the time when the several officers authorized or directed by this Constitution to be elected or appointed shall enter upon the duties of their respective offices, except where the time is fixed by this Constitution.

238.

The General Assembly shall direct by law how persons who

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now are or may hereafter become sureties for public officers may be relieved of or discharged from suretyship.

247.

The printing and binding of the laws, journals, document reports, and all other public printing and binding, shall be performed under contract, to be given to the lowest responsible bidder below such maximum and under such regulations as may be prescribed by law. No member of the General Assembly or officer of the Commonwealth shall be in any way interested in any such contract; and all such contracts shall be subject to the approval of the Governor.

248.

The General Assembly shall, by law, fix the minimum ages at which children may be employed in places dangerous to life or health, or injurious to morals; and shall provide adequate penalties for violations of such law.

252.

It shall be the duty of the General Assembly to provide by law, as soon as practicable, for the establishment and maintenance of an institution, or institutions, for the detention, correction, instruction and reformation of all person under the age of eighteen years, convicted of such felonies and such misdemeanors as may be designated by law. Said institution shall be known as the "House of Reform."

LOUISIANA.

23.

Each house shall judge of the qualifications, election and returns of its own members, choose its own officers (except President of the Senate), determine the rules of its proceed-

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ings, and may punish its members for disorderly conduct and contempt, and with the concurrence of two-thirds of all its members elected, expel a member.

24.

Either house, during the session, may punish by imprisonment any person not a member who shall have been guilty of disrespect by disorderly or contemptuous behavior, but such imprisonment shall not exceed ten days for such offense.

28.

Each house shall keep a journal of its proceedings, and cause the same to be published immediately after the close of the session; when practicable the minutes of each day's session shall be printed and placed in the hands of members on the day following. The original journal shall be preserved, after publication, in the office of the Secretary of State; but there shall be required no other record thereof.

32.

Not less than a majority of the members of each house of the General Assembly shall form a quorum to transact business; but a smaller number may adjourn from day to day, and shall have power to compel the attendance of absent members.

33.

Neither house during the session of the General Assembly shall, without the consent of the other, adjourn for more than three days nor to any other place than that in which it may be sitting.

37.

Every bill shall be read on three different days in each house, and no bill shall be considered for final passage unless it has been

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read once in full, and the same has been reported on by a committee. Nor shall any bill become a law unless, on its final passage, the vote be taken by yeas and nays, the names of the members voting for or against the same to be entered on the journal, and a majority of the members elected to each house be recorded thereon as voting in its favor.

42.

All stationery, printing, paper and fuel used in the legislative or other departments of government shall be furnished, and the printing, binding and distributing of the laws, journals and department reports, and all other printing and binding, and the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees, shall be done under contract, to be given to the lowest responsible bidder below such maximum price and under such regulations as shall be prescribed by law: Provided, That such contracts shall be awarded only to citizens of the State. No member or officer of the departments of the government shall be in any way interested in such contracts; and all such contracts shall be subject to the approval of the Governor, the President of the Senate and Speaker of the House of Representatives, or of any two of them.

110.

The General Assembly shall have power to increase the number of district judges in any district whenever the public business may require.

122.

The General Assembly shall have

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power to vest in clerks of courts authority to grant such orders and to do such acts as may be deemed necessary for the furtherance of the administration of justice; and in all cases powers thus vested shall be specified and determined.

157.

No power of suspending the laws of this State shall be exercised unless by the General Assembly or its authority.

160.

The General Assembly may determine the mode of filling vacancies in all offices for which provision is not made in this Constitution.

163.

The General Assembly shall make it obligatory upon each parish to support all infirm, sick and disabled paupers residing within its limits: Provided, That in every municipal corporation in a parish where the powers of the police jury do not extend, the said corporation shall support its own infirm, sick and disabled paupers.

165.

It shall be the duty of the General Assembly to pass such laws as may be proper and necessary to decide differences by arbitration.

170.

The regulation of the sale of alcoholic or spirituous liquors is declared a police regulation, and the General Assembly may enact laws regulating their sale and use.

172.

Gambling is declared to be a vice, and the General Assembly shall enact laws for its suppression.

175.

The General Assembly shall, at

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its first session, pass laws to protect laborers on buildings, streets, roads, railroads, canals and other similar works, against the failure of contractors, and sub-contractors to pay their current wages when due, and to make the corporation, company or individual for whose benefit the work is done responsible for their ultimate payment.

178.

The General Assembly shall provide for the interest of State medicine in all its departments, for the protection of the people from unqualified practitioners of medicine; for protecting confidential communications made to medical men by their patients while under professional treatment and for the purpose of such treatment; for the establishment and maintenance of a State Board of Health.

179.

The General Assembly shall create a bureau of agriculture, define its objects, designate its officers and fix their salaries, at such time as the financial condition of the State may warrant them, in their judgment, in making such expenditures: Provided, That such expenditures never exceed ten thousand dollars per annum.

186.

The General Assembly shall provide by law for the proper enforcement of the provisions of the foregoing article: Provided, That in the parish of Orleans there shall be a supervisor of registration, who shall be appointed by the Governor, by and with the advice and consent of the Senate, whose term of office shall be for the period of four years, and whose salary, qualifications and duties shall be pre-

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scribed by law. And the General Assembly may provide for the registration of voters in the other parishes.

202.

The taxing power may be exercised by the General Assembly for State purposes, and by parishes and municipal corporations, under authority granted to them by the General Assembly, for parish and municipal purposes.

206.

The General Assembly may levy a license tax, and in such case shall graduate the amount of such tax to be collected from the persons pursuing the several trades, professions, vocations and callings. All persons, associations of persons and corporations pursuing any trade, profession, business or calling may be rendered liable to such tax, except clerks, laborers, clergymen, school teachers, those engaged in mechanical, agricultural, horticultural and mining pursuits, and manufacturers other than those of distilled alcoholic or malt liquors, tobacco and cigars, and cotton-seed oil. No political corporation shall impose a greater license tax than is imposed by the General Assembly for State purposes.

214.

The General Assembly may divide the State into levee districts and provide for the appointment or election of levee commissioners in said districts, who shall, in the method and manner to be provided by law, have supervision of the erection, repairs and maintenance of the levees in said districts; to that effect it may levy a tax not to exceed five mills on the taxable property

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situated within the alluvial portions of said district subject to overflow.

216.

The General Assembly shall have the power, with the concurrence of an adjacent State or States, to create levee districts composed of territory partly in this State and partly in such adjacent State or States, and the levee commissioners for such district or districts shall possess all the powers provided by article 214 of this Constitution.

249.

The General Assembly may establish and organize new parishes, which shall be bodies corporate, with such powers as may be prescribed by law; but no new parish shall contain less than six hundred and twenty-five square miles, nor less than seven thousand inhabitants; nor shall any parish be reduced below that area or number of inhabitants.

251.

Any parish may be dissolved and merged by the General Assembly into a contiguous parish or parishes, two-thirds of the qualified electors of the parish proposed to be dissolved voting in favor thereof, at an election held for that purpose: Provided, That each of the parishes into which the dissolved parish proposes to become incorporated consents thereto by a majority of its qualified electors voting therefor.

254.

The General Assembly, at its next session after the adoption of this Constitution, shall enact such legislation as may be proper to liquidate the indebtedness of the city of New Orleans, and apply its assets to the satisfaction

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thereof. It shall have authority to cancel the charter of said city, and remit its inhabitants to another form of government if necessary. In any such new form of government no salary shall exceed three thousand five hundred dollars.

255.

The General Assembly shall pass necessary laws to prevent sailors or others of the crew of foreign vessels from working on the wharves and levees of the city of New Orleans: Provided, That there is no treaty between the United States and foreign powers to the contrary.

267.

The General Assembly is required to make provision for paying J. H. Cosgrove, printer of the convention, for the balance due him for work done previous to adjournment, and for all work that may be done by him after adjournment of the convention by its direction, and shall make a special appropriation to liquidate the debt which this convention has contracted, authorizing the fiscal agent of the State to negotiate a loan of twenty-five thousand dollars; and also for the payment of such vouchers as may be issued by the chairman of the committee on contingent expenses, under authority of this convention, in excess of the foregoing appropriation, for the purpose of enabling this convention to complete its work: Provided, Said vouchers are approved by the president of the convention.

MAINE.

13. I.

The laws shall not be suspended but by the Legislature or its authority.

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3. IV.

Each house shall be the judge of the elections and qualifications of its own members, and a majority shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such manner and under such penalties as each house shall provide.

4. IV.

Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member, but not a second time for the same cause.

6. IV.

Each house, during its session, may punish by imprisonment, any person, not a member, for disrespectful or disorderly behavior in its presence, for obstructing any of its proceedings, threatening, assaulting or abusing any of its members for anything said, done, or doing in either house: Provided, That no imprisonment shall extend beyond the period of the same session.

7. IV.

The House of Representatives shall choose their Speaker, clerk and other officers.

8. IV.

The Senate shall choose their President, secretary and other officers.

MARYLAND.

9. III.

That no power of suspending laws or the execution of laws, unless by or derived from the Legislature, ought to be exercised or allowed.

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19. III.

Each house shall be judge of the qualifications and elections of its members, as prescribed by the Constitution and laws of the State; shall appoint its own officers, determine the rules of its own proceedings, punish a member for disorderly or disrespectful behavior, and, with the consent of two-thirds of the whole number of members elected, expel a member; but no member shall be expelled a second time for the same offense.

20. III.

A majority of the whole number of members elected to each house shall constitute a quorum for the transaction of business; but a smaller number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as each house may prescribe.

23. III.

Each house may punish by imprisonment, during the session of the General Assembly, any person, not a member, for disrespectful or disorderly behavior in its presence, or for obstructing any of its proceedings, or any of its officers in the execution of their duties: Provided, such imprisonment shall not at any one time exceed ten days.

24. III.

The House of Delegates may inquire, on the oath of witnesses, into all complaints, grievances and offenses, as the grand inquest of the State, and may commit any person, for any crime, to the public jail, there to remain until discharged by due course of law. They may examine and pass all accounts of the State relating either to the collection or expenditure of

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the revenue, and appoint auditors to state and adjust the same. They may call for all public or official papers and records, and send for persons whom they may judge necessary, in the course of their inquiries, concerning affairs relating to the public interest, and may direct all office bonds which shall be made payable to the State, to be sued for any breach thereof; and with the view to the more certain prevention or correction of abuses in the expenditures of the money of the State, the General Assembly shall create, at every session thereof, a joint standing committee of the Senate and House of Delegates, who shall have power to send for persons and examine them on oath, and call for public or official papers and records; and whose duty it shall be to examine and report upon all contracts made for printing, stationery and purchases for the public offices and library, and all expenditures therein, and upon all matters of alleged abuse in expenditures, to which their attention may be called by resolution of either house of the General Assembly.

44. III.

Laws shall be passed by the General Assembly to protect from execution a reasonable amount of the property of the debtor, nor exceeding in value the sum of five hundred dollars.

46. III.

The General Assembly shall have power to receive from the United States any grant or donation of land, money or securities for any purpose designated by the United States, and shall administer or distribute the same according to the conditions of the said grant.

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56. III.

The General Assembly shall have power to pass all such laws as may be necessary and proper for carrying into execution the power vested by this Constitution in any department or office of the government, and the duties imposed upon them thereby.

MASSACHUSETTS.

1. I.

And further, full power and authority are hereby given and granted to the said General Court, from time to time, to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, and ordinances, directions and instructions, either with penalties or without; so as the same be not repugnant or contrary to this Constitution, as they shall judge to be for the good and welfare of this Commonwealth, and for the government and ordering thereof, and of the subjects of the same, and for the necessary support and defense of the government thereof; and to name and settle annually, or provide by fixed laws for the naming and settling, all civil officers within the said commonwealth, the election and constitution of whom are not hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits, of the several civil and military officers of this commonwealth, and the forms of such oaths or affirmations as shall be respectfully administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to this Constitution; and to impose and levy proportional

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and reasonable assessments, rates, and taxes, upon all the inhabitants of, and persons resident and estates lying within the said commonwealth; and also to impose and levy reasonable duties and excises upon any produce, goods, wares, merchandise, and commodities, whatsoever, brought into, produced, manufactured, or being within the same; to be issued and disposed of by warrant, under the hand of the Governor of this commonwealth for the time being, with the advice and consent of the council, for the public service, in the necessary defense and support of the government of the said commonwealth, and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same.

And while the public charges of government, or any part thereof, shall be assessed on polls and estates, in the manner that has hitherto been practiced, in order that such assessments may be made with equality, there shall be a valuation of estates within the commonwealth, taken anew once in every ten years at least and as much oftener as the General Court shall order. (For the authority of the General Court to charter cities, see amendments, Art. II.)

2. I.

The Senate shall choose its own president, appoint its own officers, and determine its own rules and proceedings.

2. I.

IX. Not less than sixteen members of the Senate shall constitute a quorum for doing business. (See amendments, Arts. XXII and XXXIII.)

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3. I.

IX. Not less than sixty members of the House of Representatives shall constitute a quorum for doing business. (See amendments, Arts. XXI and XXXIII.)

3. I.

The Senate shall have the same powers in the like cases; and the Governor and Council shall have the same authority to punish in like cases: Provided, That no imprisonment on the warrant or order of the Governor, Council, Senate or House of Representatives, for either of the above described offenses, be for a term exceeding thirty days.

And the Senate and House of Representatives may try and determine all cases where their rights and privileges are concerned, and which, by the Constitution, they have authority to try and determine, by committees of their own members, or in such other way as they may respectively think best.

20. I.

The power of suspending the laws, or the execution of the laws, ought never to be exercised but by the Legislature, or by authority derived from it, to be exercised in such particular cases only as the Legislature shall expressly provide for.

2. III.

Each branch of the Legislature, as well as the Governor and Council, shall have authority to require the opinions of the justices of the Supreme Judicial Court, upon important questions of law, and upon solemn occasions.

2. IV.

The Senate shall be the final judge of the elections, returns and qualifications of their own mem-

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bers, as pointed out in the Constitution; and shall (on the said last Wednesday in May), annually, determine and declare who are elected by each district to be Senators (by a majority of votes; and in case there shall not appear to be the full number of Senators returned elected by a majority of votes for any district, the deficiency shall be supplied in the following manner, viz.: The members of the House of Representatives, and such Senators as shall be declared elected, shall take the names of such persons as shall be found to have the highest number of votes in such district, and not elected, amounting to twice the number of Senators wanting, if there be so many voted for; and out of these shall elect by ballot a number of Senators sufficient to fill up the vacancies in such district; and in this manner all such vacancies shall be filled up in every district of the commonwealth; and in like manner all vacancies in the Senate, arising by death, removal out of the State, or otherwise, shall be supplied as soon as may be, after such vacancies shall happen.) (Time changed to first Wednesday of January by amendments, Art. X. Majority changed to plurality by amendments, Art. XIV. Vacancies — changed to election by people; see amendments, Art. XXIV.)

3. X.

The House of Representatives shall be the judge of the returns, elections and qualifications of its own members, as pointed out in the Constitution; shall choose their own speaker; appoint their own officers, and

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settle the rules and orders of proceeding in their own house. They shall have authority to punish by imprisonment every person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behavior in its presence; or who, in the town where the General Court is sitting, and during the time of its sittings, shall threaten harm to the body or estate of any of its members, for anything said or done in the house, or who shall assault any of them therefor; or who shall assault or arrest any witness or other person, ordered to attend the house, in his way in going or returning; or who shall rescue any person arrested by the order of the house.

And no member of the House of Representatives shall be arrested, or held to bail on mean process, during his going unto, returning from, or his attending the General Assembly.

XXI. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the Secretary of the Commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters; and in each city, said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of Representatives for the periods

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between the taking of the census.

The House of Representatives shall consist of two hundred and forty members, which shall be apportioned by the Legislature, at its first session after the return of each enumeration as aforesaid, to the several counties of the Commonwealth, equally, as nearly as may be, according to their relative numbers of legal voters, as ascertained by the next preceding special enumeration; and the town of Cohasset, in the county of Norfolk, shall, for this purpose, as well as in the formation of districts, as hereinafter provided, be considered a part of the county of Plymouth, and it shall be the duty of the Secretary of the Commonwealth, to certify, as soon as may be after it is determined by the Legislature, the number of Representatives to which each county shall be entitled, to the board authorized to divide each county into representative districts. The mayor and aldermen of the city of Boston, the county commissioners of other counties than Suffolk,—or in lieu of the mayor and aldermen of the city of Boston, or of the county commissioners in each county other than Suffolk, such board of special commissioners in each county, to be elected by the people of the county, or of the towns therein, as may for that purpose be provided by law,—shall, on the first Tuesday of August next after each assignment of Representatives to each county, assemble at a shire town of their respective counties, and proceed, as soon as may be, to divide the same into representative districts of contiguous terri-

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tories, so as to apportion the representation assigned to each county equally, as nearly as may be, according to the relative number of legal voters in the several districts of each county; and such districts shall be so formed that no town or ward of a city shall be divided therefor, nor shall any district be made which shall be entitled to elect more than three Representatives. Every Representative, for one year at least next preceding his election, shall have been an inhabitant of the district for which he is chosen, and shall cease to represent such district when he shall cease to be an inhabitant of the Commonwealth. The districts in each county shall be numbered by the board creating the same, and a description of each, with the numbers thereof and the number of legal voters therein, shall be returned by the board, to the Secretary of the Commonwealth, the county treasurer of each county, and to the clerk of every town in each district, to be filed and kept in their respective offices. The manner of calling and conducting the meetings for the choice of Representatives, and of ascertaining their election, shall be prescribed by law. (Not less than one hundred members of the House of Representatives shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.) (See amendments, Art. XXXIII.)

XXII. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the Secretary of the

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Commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters, and in each city said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of Senators for the periods between the taking of the census. The Senate shall consist of forty members. The General Court shall, at its first session after each next preceding special enumeration, divide the Commonwealth into forty districts of adjacent territory, each district to contain, as nearly as may be, an equal number of legal voters, according to the enumeration aforesaid: Provided, however, That no town or ward of a city shall be divided therefor; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. Each district shall elect one Senator, who shall have been an inhabitant of this Commonwealth five years at least immediately preceding his election, and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the Commonwealth. (Not less than sixteen Senators shall constitute a quorum for doing business; but a less number may

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organize temporarily, adjourn from day to day, and compel the attendance of absent members.) (See amendments, Arts. XXIV, XXXIII.)

XXXIII. A majority of the members of each branch of the General Court shall constitute a quorum for the transaction of business, but a less number may adjourn from day to day, and compel the attendance of absent members. All the provisions of the existing Constitution inconsistent with the provisions herein contained are hereby annulled.

2. XI.

The General Court shall have full power and authority to erect and constitute municipal or city governments, in any corporate town or towns in this Commonwealth, and to grant to the inhabitants thereof such powers, privileges and immunities, not repugnant to the Constitution, as the General Court shall deem necessary or expedient for the regulation and government thereof, and to prescribe the manner of calling and holding public meetings of the inhabitants, in wards or otherwise, for the election of officers under the Constitution, and the manner of returning the votes given at such meetings: Provided, That no such government shall be erected or constituted in any town not containing twelve thousand inhabitants, nor unless it be with the consent and on the application of a majority of the inhabitants of such town, present and voting thereon, pursuant to a vote at a meeting duly warned and holden for that purpose. And provided, also, that all by-laws made by such municipal or city government shall be subject

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at all times to be annulled by the General Court.

MICHIGAN.**8. IV.**

A majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as each house may prescribe.

9. IV.

Each house shall choose its own officers, determine the rules of its proceedings, and judge of the qualifications, elections and returns of its members; and may, with the concurrence of two-thirds of all the members elected, expel a member. No member shall be expelled a second time for the same cause, nor for any cause known to his constituents antecedent to his election. The reason for such expulsion shall be entered upon the journal, with the names of the members voting on the question.

16. IV.

The Legislature may provide by law for the payment of postage on all mailable matter received by its members and officers during the sessions of the Legislature, but not on any sent or mailed by them.

21. IV.

The Legislature at its first session shall provide for the payment of all expenditures of the convention to revise the Constitution and of the publication of the same, as is provided in this article.

22. IV.

The Legislature shall provide by law that the furnishing of fuel

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and stationery for the use of the State, the printing and binding the laws and journals, all blanks, papers and printing for the executive departments, and all other printing ordered by the Legislature, shall be let by contract to the lowest bidder or bidders, who shall give adequate and satisfactory security for the performance thereof. The Legislature shall prescribe by law the manner in which the State printing shall be executed, and the accounts rendered therefor; and shall prohibit all charges for constructive labor. They shall not rescind nor alter such contract, nor release the person or persons taking the same, or his or their sureties, from the performance of any of the conditions of the contract. No member of the Legislature, nor officer of the State, shall be interested directly or indirectly in any such contract.

24. IV.

The Legislature may authorize the employment of a chaplain for the State prison; but no money shall be appropriated for the payment of any religious services in either house of the Legislature.

23. VI.

The Legislature may establish Courts of Conciliation with such powers and duties as shall be prescribed by law.

10. XIV.

The State may continue to collect all specific taxes accruing to the treasury under existing laws. The Legislature may provide for the collection of specific taxes from banking, railroad, plank-road, and other corporations hereafter created.

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11. XIV

The Legislature shall provide a uniform rule of taxation, except on property paying specific taxes, and taxes shall be levied on such property as shall be prescribed by law.

13. XIV.

The Legislature shall provide for an equalization by a State board in the year one thousand eight hundred and fifty-one, and every fifth year thereafter, of assessments on all taxable property, except that paying specific taxes.

13.

It shall be the duty of the Legislature, at their first session, to adapt the present laws to the provisions of this Constitution, as far as may be.

15. XVIII.

No general revision of the laws shall hereafter be made. When a reprint thereof becomes necessary, the Legislature, in joint convention, shall appoint a suitable person to collect together such acts and parts of acts as are in force, and, without alteration, arrange them under appropriate heads and titles. The law so arranged shall be submitted to two commissioners, appointed by the Governor, for examination, and if certified by them to be a correct compilation of all general laws in force, shall be printed in such manner as shall be prescribed by law.

1. XIX.

The Legislature may, from time to time, pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on different railroads in this State, and shall prohibit running contracts between such railroad

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companies whereby discrimination is made in favor of either of such companies as against other companies owning connecting or intersecting lines of railroad.

7. XIX.

One-half of the taxes paid into the treasury from mining corporations in the Upper Peninsula, paying an annual State tax of one per cent, shall be paid to the measures of the counties from which it is received, to be applied for township and county purposes, as provided by law. The Legislature shall have power, after the year one thousand eight hundred and fifty-five, to reduce the amount to be refunded.

MINNESOTA.

3. IV.

Each house shall be the judge of the election returns and eligibility of its own members; a majority of each shall constitute a quorum to transact business, but a smaller number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as it may provide.

4. IV.

Each house may determine the rules of its proceedings, sit upon its own adjournment, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member; but no member shall be expelled the second time for the same offense.

16. IV.

Two or more members of either house shall have liberty to dissent and protest against any act or resolution which they may

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think injurious to the public or to any individual, and have the reason of their dissent entered on the journal.

18. IV.

Each house may punish by imprisonment during its session, any person not a member, who shall be guilty of any disorderly or contemptuous behavior in their presence; but no such imprisonment shall at any time exceed twenty-four hours.

19. IV.

Each house shall be open to the public during the sessions thereof, except in such cases as in their opinion may require secrecy.

20. IV.

Every bill shall be read on three different days in each separate house, unless, in case of urgency, two-thirds of the house where such bill is depending shall deem it expedient to dispense with this rule; and no bill shall be passed by either house until it shall have been previously read twice at length.

21. IV.

Every bill, having passed both houses, shall be carefully enrolled, and shall be signed by the presiding officer of each house. Any presiding officer refusing to sign a bill which shall have previously passed both houses, shall thereafter be incapable of holding a seat in either branch of the Legislature, or hold any other office of honor or profit in the State, and in case of such refusal, each house shall, by rule, provide the manner in which such bill shall be properly certified for presentation to the Governor.

34. IV.

The Legislature shall provide general laws for the transaction of

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any business that may be prohibited by section one (1) of this amendment, and all such laws shall be uniform in their operation throughout the State.

2. IX.

The Legislature shall provide for an annual tax sufficient to defray the estimated (ordinary) expenses of the State for each year; and whenever it shall happen that such ordinary expenses of the State for any year shall exceed the income of the State for such year, the Legislature shall provide for levying a tax to pay the deficiency of the preceding year, together with the estimated expenses of such ensuing year. But no law levying a tax for the ensuing year sufficient with other sources of income tax, or making other provisions for the payment of interest or principal of the bonds denominated "Minnesota State Railroad Bonds," shall take effect or be in force until such law shall have been submitted to a vote of the people of the State, and adopted by a majority of the electors of the State voting upon the same.

14. IX.

(a) For the purpose of erecting and completing buildings for a hospital for the insane, a deaf, dumb and blind asylum, the State prison, the Legislature may by law increase the public debt of the State to an amount not exceeding \$250,000, in addition to the public debt already heretofore authorized by the Constitution; and for that purpose may provide by law for issuing and negotiating the bonds of the State, and appropriate the money only for the purpose aforesaid; which bonds shall be payable in not less than ten nor more than

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thirty years from the date of the same, at the option of the State.

MISSISSIPPI.**38. IV.**

Each house shall elect its own officers, and shall judge of the qualifications, return and election of its own members.

39. IV.

The Senate shall choose a president pro tempore to act in the absence or disability of its presiding officer.

54. IV.

A majority of each house shall constitute a quorum to do business; but a less number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as each shall provide.

55. IV.

Each house may determine rules of its own proceedings, punish its members for disorderly behavior; and with the concurrence of two-thirds of the members present, expel a member; but no member, unless expelled for theft, bribery or corruption, shall be expelled a second time for the same offense. Both houses shall, from time to time, publish journals of their proceedings, except such parts as may in their opinion require secrecy; at the request of one-tenth of the members present; and the yeas and nays shall be entered on the journal and the yeas and nays on any question shall be entered on the final passage of every bill.

79. IV.

The Legislature shall provide by law for the sale of all delinquent tax lands. The courts shall apply the same liberal

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principles in favor of such titles as in sale by executions. The right of redemption from all sales of real estate, for the non-payment of taxes, or special assessments, of any and every character whatsoever, shall exist, on conditions to be prescribed by law, in favor of owners and persons interested in such real estate, for a period of not less than two years.

82. IV.

The Legislature shall fix the amount of the penalty of all official bonds, and may, as far as practicable, provide that the whole or a part of the security required for the faithful discharge of official duty shall be made by some guarantee company or companies.

84. IV.

The Legislature shall enact laws to limit, restrict or prevent the acquiring and holding of land in this State by non-resident aliens and may limit or restrict the acquiring or holding of lands by corporations.

85. IV.

The Legislature shall provide by general law for the working of public roads by contract or by county prisoners, or both. Such law may be put in operation only by a vote of the board of supervisors in those counties where it may be desirable.

86. IV.

It shall be the duty of the Legislature to provide by law for the treatment and care of the insane; and the Legislature may provide for the care of the indigent sick in the hospitals in the State.

99. IV.

The Legislature shall not elect any other than its own officers,

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State librarian, and United States Senators; but this section shall not prohibit the Legislature from appointing Presidential electors.

103. IV.

In all cases not otherwise provided for in this Constitution, the Legislature may determine the mode of filling all vacancies, in all offices, and in cases of emergency provisional appointments may be made by the Governor, to continue until the vacancy is regularly filled; and the Legislature shall provide suitable compensation for all officers, and shall define their respective powers.

107. IV.

All stationery, printing, paper and fuel used by the Legislature and other departments of the government shall be furnished, and the printing and binding of the laws, journals, department reports, and other printing and binding, and the repairing and furnishing the halls and rooms used for the meeting of the Legislature and its committees, shall be furnished under contract, to be given to the lowest responsible bidder below such maximum and under such regulations as may be prescribed by law. No member of the Legislature or officer of any department shall be in any way interested in such contract; and all such contracts shall be subject to the approval of the Governor and State Treasurer.

163. VI.

The Legislature shall provide by law for the due certification of all causes that may be transferred to or from any Chancery Court or Circuit Court, for such reformation of the pleadings therein as may be necessary, and

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the adjudication of the costs of such transfer.

182. VII.

The power to tax corporations and their property shall never be surrendered or abridged by any contract or grant to which the State or any political subdivision thereof may be a party, except that the Legislature may grant exemptions from taxation in the encouragement of manufactures and other new enterprises of public utility extending for a period not exceeding five years, the time of such exemptions to commence from date of charter, if to a corporation; and if to an individual enterprise, then from the commencement of work; but when the Legislature grants such exemptions for a period of five years or less, it shall be done by general laws which shall distinctly enumerate the classes of manufactures and other new enterprises of public utility entitled to such exemptions, and shall prescribe the mode and manner in which the right to exemptions shall be determined.

186. VII.

The Legislature shall pass laws to prevent abuses, unjust discrimination and extortion in all charges of express, telephone, sleeping car, telegraph and railroad companies, and shall enact laws for the supervision of railroads, express, telephone, telegraph, sleeping car companies and other common carriers in this State, by commission or otherwise, and shall provide adequate penalties, to the extent, if necessary for that purpose, of forfeiture of their franchises.

200. VII.

The Legislature shall enforce the provisions of this article by appropriate legislation.

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272. XIV.

The Legislature shall provide by law, pensions for indigent soldiers and sailors who enlisted and honorably served in the Confederate army or navy in the late civil war, who are now resident in this State, and are not able to earn a support by their own labor. Pensions shall also be allowed to the indigent widows of such soldiers or sailors now dead, when, from age or disease, they cannot earn a support. Pensions shall also be allowed to the wives of such soldiers or sailors upon the death of the husband, if disabled and indigent as aforesaid. Pensions granted to widows shall cease upon their subsequent marriage.

MISSOURI

17. IV.

Each house shall appoint its own officers; shall be sole judge of the qualifications, election and returns of its own members; may determine the rules of its own proceedings, except as herein provided; may arrest and punish by fine not exceeding three hundred dollars, or imprisonment in a county jail not exceeding ten days, or both, any person, not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence during its sessions; may punish its members for disorderly conduct, and, with the concurrence of two-thirds of all the members elect, may expel a member; but no member shall be expelled a second time for the same cause.

18. IV.

A majority of the whole number of members of each house shall constitute a quorum to do business; but a smaller number may

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adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as each house may provide.

1. X.

The taxing power may be exercised by the General Assembly for State purposes, and by counties and other municipal corporations, under authority granted to them by the General Assembly, for county and other corporate purposes.

7. XIV.

The General Assembly shall, in addition to other penalties, provide for the removal from office of county, city, town and township officers, on conviction of wilful, corrupt or fraudulent violation or neglect of official duty.

MONTANA.

9. V.

The Senate shall, at the beginning and close of each regular session, and such other times as may be necessary, elect one of its members president, pro tempore. The House of Representatives shall elect one of its members speaker. Each house shall choose its other officers, and shall judge of the elections, returns and qualifications of its members.

10. V.

A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as each house may prescribe.

11. V.

Each house shall have power to determine the rules of its proceedings, and punish its members or other persons for contempt

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or disorderly behavior in its presence; to protect its members against violence or offers of bribe or private solicitation, and with the concurrence of two-thirds, to expel a member, and shall have all other powers necessary for the Legislative Assembly of a free State.

A member expelled for corruption shall not thereafter be eligible to either house of the Legislative Assembly; and punishment for contempt or disorderly behavior shall not bar a criminal prosecution for the same offense.

27. V.

The presiding officer of each house shall, in the presence of the house over which he presides, sign all bills and joint resolutions passed by the Legislative Assembly immediately after their titles have been publicly read, and the fact of signing shall be at once entered upon the journal.

30. V.

All stationery, printing, paper, fuel and lights used in the Legislative and other departments of government shall be furnished, and the printing and binding and distribution of the laws, journals, and department reports and other printing and binding, and the repairing and furnishing the halls and rooms used for the meeting of the Legislative Assembly and its committees, shall be performed under contract, to be given to the lowest responsible bidder, below such maximum price and under such regulations as may be prescribed by law. No member or officer of any department of the government shall be in any way interested in any such contract; and all such contracts

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shall be subject to the approval of the Governor and State Treasurer.

14. VIII.

The Legislative Assembly may increase or decrease the number of judges in any judicial district: Provided, That there shall be at least one judge in any district established by law; and may divide the State, or any part thereof, into new districts: Provided, That each be formed of compact territory and be bounded by county lines, but no changes in the number or boundaries or districts shall work a removal of any judge from office during the term for which he has been elected or appointed.

24. VIII.

The Legislative Assembly shall have power to provide for creating such police and municipal courts and magistrates for cities and towns as may be deemed necessary from time to time, who shall have jurisdiction in all cases arising under the ordinances of such cities and towns, respectively; such police magistrates may also be constituted ex officio justices of the peace for their respective counties.

7. XII.

The power to tax corporations or corporate property shall never be relinquished or suspended, and all corporations in this State, or doing business therein, shall be subject to taxation for State, county, school, municipal and other purposes, on real and personal property owned or used by them and not by this Constitution exempted from taxation.

1. XVIII.

The Legislative Assembly may provide for a bureau of agricul-

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ture, labor and industry, to be located at the capital and be under the control of a commissioner appointed by the Governor, subject to the confirmation of the Senate. The commissioner shall hold his office for four years, and until his successor is appointed and qualified. His compensation shall be as provided by law.

3. XVIII.

The Legislative Assembly shall have the power to alter, revoke or amend any charter of incorporation existing at the time of the adoption of this Constitution, or which may be hereafter incorporated, whenever in its opinion it may be injurious to the citizens of the State.

3. XIX.

The Legislative Assembly shall enact suitable laws to prevent the destruction by fire, from any cause, of the grasses and forests upon the lands of the State or upon the lands of the public domain, the control of which may be conferred by Congress upon this State, and to otherwise protect the same.

NEBRASKA.

7. III.

The session of the Legislature shall commence at twelve o'clock (noon) on the first Tuesday in January, in the next year ensuing the election of members thereof, and at no other time, unless as provided by this Constitution. A majority of the members elected to each house shall constitute a quorum. Each house shall determine the rules of its proceedings, and be the judge of the election returns and qualifications of its members; shall choose its own officers; and the Senate shall choose a temporary

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president to preside when the Lieutenant-Governor shall not attend as president, or shall act as Governor. The Secretary of State shall call the House of Representatives to order at the opening of each new Legislature, and preside over it until a temporary presiding officer thereof shall have been chosen and shall have taken his seat. No member shall be expelled by either house except by a vote of two-thirds of all the members elected to that house, and no member shall be twice expelled for the same offense. Each house may punish by imprisonment any person, not a member thereof, who shall be guilty of disrespect to the house, by disorderly or contemptuous behavior in its presence, but no such imprisonment shall extend beyond twenty-four hours at one time, unless the person shall persist in such disorderly or contemptuous behavior.

11. III.

Every bill and concurrent resolution shall be read at large on three different days in each house, and the bill, and all amendments thereto, shall be printed before the vote is taken upon its final passage. No bill shall contain more than one subject, and the same shall be clearly expressed in its title. And no law shall be amended unless the new act contains the section or sections so amended, and the section or sections so amended shall be repealed. The presiding officer of each house shall sign, in the presence of the house over which he presides, while the same is in session and capable of transacting business all bills and concurrent resolutions passed by the Legislature.

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Sec. Art.

20. III.

All offices created by this Constitution shall become vacant by the death of the incumbent, by removal from the State, resignation, conviction of felony, impeachment or becoming of unsound mind. And the Legislature shall provide by general law for the filling of such vacancy when no provision is made for that purpose in this Constitution.

11. VI.

The Legislature, whenever two-thirds of the members elected to each house shall concur therein, may, in or after the year one thousand eight hundred and eighty, and not oftener than once in every four years, increase the number of judges of the District Courts and the judicial districts of the State. Such districts shall be formed of compact territory, and bounded by county lines; and such increase, or any change in the boundaries of a district, shall not vacate the office of any judge.

1. IX.

The Legislature shall provide such revenues as may be needful by levying a tax by valuation, so that every person or corporation shall pay a tax in proportion to the value of his, her or its property and franchises, the value to be ascertained in such manner as the Legislature shall direct, and it shall have power to tax peddlers, auctioneers, brokers, hawkers, commission merchants, showmen, jugglers, innkeepers, liquor dealers, toll-bridges, ferries, insurance, telegraph, and express interests or business, venders of patents, in such manner as it shall direct by general law, uniform as to the class upon which it operates.

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8. IX.

The Legislature, at its first session, shall provide by law for the funding of all outstanding warrants and other indebtedness of the State, at a rate of interest not exceeding eight per cent per annum.

9. IX.

The Legislature shall provide by law that all claims upon the treasury shall be examined and adjusted by the Auditor and approved by the Secretary of State before any warrant for the amount allowed shall be drawn: Provided, That a party aggrieved by the decision of the Auditor and Secretary of State may appeal to (the) District Court.

4. X.

The Legislature shall provide by law for the election of such county and township officers as may be necessary.

7. XII.

The Legislature shall pass laws to correct abuses and prevent unjust discrimination and extortion in all charges of express, telegraph, and railroad companies in this State, and enforce such laws by adequate penalties to the extent, if necessary for that purpose, of forfeiture of their property and franchises.

NEVADA.

6. IV.

Each house shall judge of the qualifications, elections and returns of its own members, choose its own officers (except the president of the Senate), determine the rules of its proceedings, and may punish its members for disorderly conduct, and with the concurrence of two-thirds of all the members elected, expel a member.

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Sec. Art.

7. IV.

Either house, during the session, may punish, by imprisonment, any person not a member, who shall have been guilty of disrespect to the house by disorderly or contemptuous behavior in its presence; but such imprisonment shall not extend beyond the final adjournment of the session.

13. IV.

A majority of all the members elected to each house shall constitute a quorum to transact business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such manner and under such penalties as each house may prescribe.

18. IV.

Every bill shall be read by sections on three several days in each house, unless, in case of emergency, two-thirds of the house where such bill may be pending shall deem it expedient to dispense with this rule; but the reading of a bill by sections, on its final passage, shall in no case be dispensed with, and the vote on final passage on every bill or joint resolution shall be taken by yeas and nays, to be entered on the journals of each house; and a majority of all the members elected to each house shall be necessary to pass every bill or joint resolution, and all bills or joint resolutions so passed shall be signed by the presiding officers of the respective houses and by the secretary of the Senate and clerk of the Assembly.

NEW HAMPSHIRE.

5. I.

And, further, full power and authority are hereby given and granted to the said General

Sec. Art.

Court, from time to time, to make, ordain and establish all manner of wholesale and reasonable orders, laws, statutes, ordinances, directions, and instructions, either with penalties or without, so as the same be not repugnant or contrary to this Constitution, as they may judge for the benefit and welfare of this State and for the governing and ordering thereof and of the subjects of the same, for the necessary support and defense of the government thereof; and to name and settle biennially, or provide by fixed laws for the naming and settling of, all civil officers within this State, such officers excepted the election and appointment of whom are hereafter in this form of government otherwise provided for; and to set forth the several duties, powers and limits of the several civil and military officers of this State, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to this Constitution; and also to impose fines, mulots, imprisonments, and other punishments; and to impose and levy proportional and reasonable assessments, rates and taxes upon all the inhabitants of, and residents within, the said State, and upon all the estates within the same, to be issued and disposed of by warrant, under the hand of the Governor of this State for the time being, with the advice and consent of the Council, for the public service, in the necessary defense and support of the government of the State and the protection and preservation of the subjects thereof, according to such acts as are or shall be in

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Sec. Art.

force within the same. Provided, That the General Court shall not authorize any town to loan or give its money or credit, directly or indirectly, for the benefit of any corporation having for its object a dividend of profits, or in any way aid the same by taking its stock or bonds.

29. I.

The power of suspending the laws or the execution of them ought never to be exercised but by the Legislature, or by authority derived therefrom, to be exercised in such particular cases only as the Legislature shall expressly provide for.

20. II.

A majority of the members of the House of Representatives shall be a quorum for doing business, but, when less than two-thirds of the Representatives elected shall be present, the assent of two-thirds of those members shall be necessary to render their acts and proceedings valid.

22. II.

The House of Representatives shall choose their own speaker, appoint their own officers, and settle the rules of proceedings in their own house, and shall be judge of the returns, elections and qualifications of its members, as pointed out in this Constitution. They shall have authority to punish by imprisonment every person who shall be guilty of disrespect to the house, in its presence, by any disorderly and contemptuous behavior, or by threatening or ill-treating any of its members, or by obstructing its deliberations; every person guilty of a breach of its privileges in making arrests for debt, or by assaulting any member during his attend-

Sec. Art.

ance at any session; in assaulting or disturbing any one of its officers in the execution of any order or procedure of the house; in assaulting any witness or other person ordered to attend by, and during his attendance of, the house, or in rescuing any person arrested by order of the house, knowing them to be such.

35. II.

The Senate shall be final judge of the elections, returns and qualifications of their own members, as pointed out in this Constitution.

36. II.

The Senate shall have power to adjourn themselves, provided such adjournment do not exceed two days at a time: Provided, nevertheless, That whenever they shall sit on the trial of any impeachment, they may adjourn to such time and place as they may think proper, although the Legislature be not assembled on such day or at such place.

37. II.

The Senate shall appoint their president and other officers and determine their own rules of proceedings. And not less than thirteen members of the Senate shall make a quorum for doing business; and, when less than sixteen Senators shall be present the assent of ten, at least, shall be necessary to render their acts and proceedings valid.

65. II.

The Legislature may, if the public good shall hereafter require it, divide the State into five districts, as nearly equal as may be, governing themselves by the number of ratable polls and proportion of public taxes, each district to elect a councillor; and, in case of such division, the man-

Powers of Each House.

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ner of the choice shall be conformable to the present mode of election in counties.

72. VII.

And the Legislature, on the application of the major part of the inhabitants of any county, shall have authority to divide the same into two districts for registering deeds, if to them it shall appear necessary, each district to elect a register of deeds; and, before they enter upon the business of their offices, shall be respectively sworn faithfully to discharge the duties thereof, and shall severally give bond, with sufficient sureties, in a reasonable sum, for the use of the county, for the punctual performance of their respective trusts.

8. IV. NEW JERSEY.

Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

3. IV.

Each house shall choose its own officers, determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, may expel a member.

6. IV.

All bills and joint resolutions shall be read three times in each house, before the final passage thereof; and no bill or joint resolution shall pass unless there be a majority of all the members of each body personally present

Sec. Art.

and agreeing thereto; and the yeas and nays of the members voting on such final passage shall be entered on the journal.

NORTH CAROLINA.

2. II.

The Senate and House of Representatives shall meet biennially on the first Wednesday after the first Monday in January next after their election; and, when assembled, shall be denominated the General Assembly. Neither house shall proceed upon public business unless a majority of all the members are actually present.

17. II.

Any member of either house may dissent from and protest against any act or resolve which he may think injurious to the public or any individual, and have the reasons of his dissent entered on the journal.

18. II.

The House of Representatives shall choose their own Speaker and other officers.

20. II.

The Senate shall choose its other officers and also a Speaker (pro tempore) in the absence of the Lieutenant-Governor, or when he shall exercise the office of Governor.

22. II.

Each house shall be a judge of the qualifications and election of its own members, and shall sit upon its own adjournment from day to day, prepare bills to be passed into laws; and the two houses may also jointly adjourn to any future day or other place.

23. II.

All bills and resolutions of a legislative nature shall be read three times in each house before they

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Sec. Art.

pass into laws; and shall be signed by the presiding officers of both houses.

17. III.

The General Assembly shall establish a department of agriculture, immigration and statistics, under such regulations as may best promote the agricultural interests of the State, and shall enact laws for the adequate protection and encouragement of sheep husbandry.

1. V.

The General Assembly shall levy a capitation tax on every male inhabitant in the State over twenty-one and under fifty years of age, which shall be equal on each to the tax on property valued at three hundred dollars in cash. The commissioners of the several counties may exempt from capitation tax in special cases, on account of poverty and infirmity, and the State and county capitation tax combined shall never exceed two dollars on the head.

5. V.

Property belonging to the State, or to municipal corporations, shall be exempt from taxation. The General Assembly may exempt cemeteries and property held for educational, scientific, literary, charitable or religious purposes; also, wearing apparel, arms for muster, household and kitchen furniture, the mechanical and agricultural implements of mechanics and farmers; libraries and scientific instruments, or any other personal property to a value not exceeding three hundred dollars.

14. VII.

The General Assembly shall have full power by statute to modify, change or abrogate any and all

Sec. Art.

of the provisions of this article, and substitute others in their place, except sections seven, nine and thirteen.

15. IX.

The General Assembly is hereby empowered to enact that every child of sufficient mental and physical ability shall attend the public schools during the period between the ages of six and eighteen years, for a term not less than sixteen months, unless educated by other means.

3. XI.

The General Assembly shall, at its first meeting, make provision for the erection and conduct of a State's prison or penitentiary, at some central and accessible point within the State.

4. XI.

The General Assembly may provide for the erection of houses of correction, where vagrants and persons guilty of misdemeanors shall be restrained and usefully employed.

7. XI.

Beneficent provision for the poor, the unfortunate and orphan being one of the first duties of a civilized and Christian State, the General Assembly shall, at its first session, appoint and define the duties of a board of public charities, to whom shall be intrusted the supervision of all charitable and penal State institutions, and who shall annually report to the Governor upon their condition, with suggestions for their improvement.

9. XI.

It shall be the duty of the Legislature, as soon as practicable, to devise means for the education of idiots and inebriates.

10. XI.

The General Assembly shall pro-

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Sec. Art.

vide that all the deaf mutes, the blind and the insane of the State shall be cared for at the charge of the State.

4. XII.

The General Assembly shall have power to make such exemptions as may be deemed necessary, and to enact laws that may be expedient for the government of the militia.

NORTH DAKOTA.

31. II.

The Senate, at the beginning and close of each regular session, and at such other times as may be necessary, shall elect one of its members president pro tempore, who may take the place of the Lieutenant-Governor under rules prescribed by law.

36. II.

The House of Representatives shall elect one of its members as speaker.

46. II.

A majority of the members of each house shall constitute a quorum, but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such a manner, and under such a penalty, as may be prescribed by law.

47. II.

Each house shall be the judge of the elections, returns and qualifications of its own members.

48. II.

Each house shall have the power to determine the rules of proceeding, and punish its members or other persons for contempt or disorderly behavior in its presence; to protect its members against violence or offers of bribes, or private solicitation, and with the concurrence of two-thirds, to expel a member; and

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shall have all other powers necessary and usual in the legislative assembly of a free State. But no imprisonment by either house shall continue beyond thirty days. Punishment for contempt or disorderly behavior shall not bar a criminal prosecution for the same offense.

61. II.

No bill shall embrace more than one subject, which shall be expressed in its title, but a bill which violates this provision shall be invalidated thereby only as to so much thereof as shall not be so expressed.

63. II.

Every bill shall be read three several times, but the first and second reading, and those only, may be upon the same day; and the second reading may be by title of the bill, unless a reading at length be demanded. The first and third readings shall be at length. No legislative day shall be shorter than the natural day.

66. II.

The presiding officer of each house shall, in the presence of the house over which he presides, sign all bills and joint resolutions passed by the Legislative Assembly; immediately before such signing their title shall be publicly read, and the fact of signing shall be at once entered on the journal.

68. II.

The Legislative Assembly shall pass all laws necessary to carry into effect the provisions of this Constitution.

167. X.

The Legislative Assembly shall provide by general law for organizing new counties, locating the county seats thereof temporarily, and changing county

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Sec. Art

lines; but no new county shall be organized, nor shall any organized county be so reduced as to include an area of less than twenty-four congressional townships, and containing a population of less than 1,000 bona fide inhabitants. And in the organization of new counties and in changing the lines of organized counties and boundaries of congressional townships, natural boundaries shall be observed as nearly as may be.

178. XI.

The power of taxation shall never be surrendered or suspended by any grant or contract to which the State or any county or other municipal corporation shall be a party.

OHIO.

6. II.

Each house shall be judge of the election, returns and qualifications of its own members; a majority of all the members elected to each house shall be a quorum to do business; but a less number may adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as shall be prescribed by law.

8. II.

Each house, except as otherwise provided in this Constitution, shall choose its own officers, may determine its own rules of proceeding, punish its members for disorderly conduct; and with the concurrence of two-thirds, expel a member, but not the second time for the same cause; and shall have all other powers necessary to provide for its safety, and the undisturbed transaction of its business.

10. II.

Any member of either house shall

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have the right to protest against any act or resolution thereof; and such protest, and the reason therefor, shall, without alteration, commitment or delay, be entered upon the journal.

16. II.

Every bill shall be fully and distinctly read on three different days; unless, in case of urgency, three-fourths of the House in which it shall be pending, shall dispense with this rule. No bill shall contain more than one subject, which shall be clearly expressed in its title, and no law shall be revived or amended unless the new act contain the entire act revived, or the section or sections amended, and the section or sections so amended shall be repealed.

17. II.

The presiding officer of each house shall sign publicly, in the presence of the house over which he presides, while the same is in session, and capable of transacting business, all bills and joint resolutions passed by the General Assembly.

20. II.

The General Assembly in cases not provided for in this Constitution, shall fix the term of office and the compensation of all offices; but no charge therein shall affect the salary of any officer during his existing term, unless the office be abolished.

21. II.

The General Assembly shall determine, by law, before what authority, and in what manner, the trial of contested elections shall be conducted.

5. IX.

The General Assembly shall provide by law for the protection and safe-keeping of the public arms.

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Sec. Art.

1. XII.

The levying of taxes by the poll is grievous and oppressive; therefore, the General Assembly shall never levy a poll tax for county or State purposes.

3. XII.

The General Assembly shall provide by law for taxing the notes and bills discounted or purchased, moneys loaned, and all other property, effects or dues, of every description, without deduction, of all banks now existing, or hereafter created, and of all bankers, so that all property employed in banking shall always bear a burden of taxation equal to that imposed on the property of individuals.

1. XIV.

The General Assembly, at its first session after the adoption of this Constitution shall provide for the appointment of three commissioners, and prescribe their tenure of office, compensation and the mode of filling vacancies in said commission.

OREGON.

22. I.

The operation of the laws shall never be suspended except by the authority of the Legislative Assembly.

11. IV.

Each house, when assembled, shall choose its own officers, judge of election, qualifications and returns of its own members, determine its own rules of proceeding, and sit upon its own adjournments; but neither house shall, without the concurrence of the other, adjourn for more than three days, nor at any other place than that in which it may be sitting.

12. IV.

Two-thirds of each house shall

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constitute a quorum to do business, but a smaller number may meet, adjourn from day to day and compel the attendance of absent members. A quorum being in attendance, if either house fail to effect an organization within the first five days thereafter, the members of the house so failing shall be entitled to no compensation from the end of the five days until an organization shall have been effected.

15. IV.

Either house may punish its members for disorderly behavior, and may, with the concurrence of two-thirds, expel a member; but not a second time for the same cause.

16. IV.

Either house, during its session, may punish by imprisonment, any person not a member, who shall have been guilty of disrespect to the house, or disorderly or contemptuous behavior in its presence; but such imprisonment shall not at any time exceed twenty-four hours.

17. IV.

Each house shall have all powers necessary for a branch of the legislative department of a free and independent State.

19. IV.

Every bill shall be read by sections, on three several days, in each house, unless, in case of emergency, two-thirds of the house where such bill may be depending, shall, by a vote of yeas and nays, deem it expedient to dispense with this rule; but the reading of a bill by sections on its final passage shall in no case be dispensed with, and the vote on the passage of every bill or joint resolution shall be taken by yeas and nays.

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28. IV.

Any member of either house shall have the right to protest, with his reasons for dissent, entered on the journal.

1. IX.

The Legislative Assembly shall provide by law for uniform and equal rate of assessment and taxation; and shall prescribe such regulations as shall secure a just valuation for taxation of all property, both real and personal, excepting such only for municipal, educational, literary, scientific, religious, or charitable purposes, as may be specially exempted by law.

8. IX.

All stationery required for the use of the State shall be furnished by the lowest responsible bidder, under such regulations as may be prescribed by law. But no State officer or member of the legislative assembly shall be interested in any bid or contract for furnishing such stationery.

PENNSYLVANIA.

9. II.

The Senate shall at the beginning and close of each regular session, and at such other times as may be necessary, elect one of its members president pro tempore, who shall perform the duties of the Lieutenant-Governor, in any case of absence or disability of that officer, and whenever the said office of Lieutenant-Governor shall be vacant. The House of Representatives shall elect one of its members as Speaker. Each house shall choose its other officers, and shall judge of the election and qualifications of its members.

10. II.

A majority of each house shall constitute a quorum, but a

Sec. Art.

smaller number may adjourn from day to day and compel the attendance of absent members.

11. II.

Each house shall have the power to determine the rules of its proceedings and punish its members or other persons for contempt or disorderly behavior in its presence, to enforce obedience to its process, to protect its members against violence or offers of bribes or private solicitation, and, with the concurrence of two-thirds, to expel a member, but not a second time for the same cause, and shall have all other powers necessary for the Legislature of a free State. A member expelled for corruption shall not thereafter be eligible to either house, and punishment for contempt or disorderly behavior shall not bar an indictment for the same offense.

4. III.

Every bill shall be read at length on three different days in each house; all amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill, and no bill shall become a law unless, on its final passage, the vote be taken by yeas and nays, the names of the persons voting for and against the same to be entered on the journal, and a majority of the members elected to each house be recorded thereon as voting in its favor.

12. III.

All stationery, printing paper and fuel used in the legislative and other departments of government shall be furnished, and the printing, binding and distributing of the laws, journals, de-

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partment reports, and all other printing and binding, and the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees, shall be performed under contract, to be given to the lowest responsible bidder below such maximum price and under such regulations as shall be prescribed by law; no member or officer of any department of the government shall be in any way interested in such contracts, and all such contracts shall be subject to the approval of the Governor, Auditor-General and State Treasurer.

19. III.

The General Assembly may make appropriations of money to institutions wherein the widows of soldiers are supported or assisted, or the orphans of soldiers are maintained and educated; but such appropriation shall be applied exclusively to the support of such widows and orphans.

3. IX.

The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the State shall be a party.

9. IX.

The presiding officer of each house shall, in the presence of the house over which he presides, sign all bills and joint resolutions passed by the General Assembly, after their titles have been publicly read immediately before signing; and the fact of signing shall be entered on the journal.

10. XVI.

The General Assembly shall have the power to alter, revoke or

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annul any charter of incorporation now existing and revocable at the adoption of this Constitution, or any that may hereafter be created, whenever in their opinion it may be injurious to the citizens of this Commonwealth, in such manner, however, that no injustice shall be done the corporators. No law hereafter enacted shall create, renew or extend the charter of more than one corporation.

RHODE ISLAND.

1.

It shall not be necessary for the town or ward clerks to keep and transmit to the General Assembly a list or register of all persons voting for general officers; but the General Assembly shall have power to pass such laws on the subject as they may deem expedient.

6. IV.

Each house shall be the judge of the elections and qualifications of its members; and a majority shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner, and under such penalties, as may be prescribed by such house or by law. The organization of the two houses may be regulated by law, subject to the limitations contained in this Constitution.

8. IV.

Each house shall keep a journal of its proceedings. The yeas and nays of the members of either house shall, at the desire of one-fifth of those present be entered on the journal.

9. IV.

Neither house shall, during a session, without the consent of the

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other, adjourn for more than two days, nor to any other place than that in which they may be sitting.

15. IV.

The General Assembly shall, from time to time, provide for making new valuations of property, for the assessment of taxes, in such manner as they may deem best. A new estimate of such property shall be taken before the first direct State tax, after the adoption of this Constitution, shall be assessed.

2. V.

The House of Representatives shall have authority to elect its speaker, clerks and other officers. The senior member from the town of Newport, if any be present, shall preside in the organization of the house.

4. VI.

The Secretary of State shall, by virtue of his office, be secretary of the Senate, unless otherwise provided by law, and the Senate may elect such other officers as they may deem necessary.

7. VII.

Each house may determine its rules of proceeding, punish contempts, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member; but not a second time for the same cause.

SOUTH CAROLINA.

24. I.

The power of suspending the laws or the execution of the laws shall never be exercised but by the General Assembly, or by authority derived therefrom, to be exercised in such particular cases only as the General Assembly shall expressly provide for.

14. II.

Each house shall judge of the

Sec. Art.

election returns and qualifications of its own members, and a majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day and may compel the attendance of absent members, in such manner and under such penalties as may be provided by law.

15. II.

Each house shall choose its own officers, determine its rules of proceeding, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member, but not a second time for the same cause.

16. II.

Each house may punish by imprisonment, during its sitting, any person not a member who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence, or who, during the time of its sitting, shall threaten harm to body or estate of any member for anything said or done in either house, or who shall assault any of them therefor, or who shall assault or arrest any witness or other person ordered to attend the house, in his going thereto or returning therefrom, or who shall rescue any person arrested by order of the house: Provided, That such time of imprisonment shall not in any case extend beyond the session of the General Assembly.

21. II.

No bill shall have the force of law until it shall have been read three times, and on three several days, in each house, has had the great seal of the State affixed to it, and has been signed in the Senate house by the President of

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the Senate and the Speaker of the House of Representatives.

29. II.

If any election district shall neglect to choose a member or members on the day of election, or if any person chosen a member of either house shall refuse to qualify and take his seat, or shall resign, die, depart the State, accept any disqualifying office, or otherwise become disqualified to hold his seat, a writ of election shall be issued by the President of the Senate, or Speaker of the House of Representatives, as the case may be, for the purpose of filling the vacancy thereby occasioned for the remainder of the term for which the person so refusing to qualify, resigning, dying, departing the State, or becoming disqualified, was elected to serve, or the defaulting election district ought to have chosen a member or members.

7. III.

The Senate shall choose a president pro tempore, to act in the absence of the Lieutenant-Governor, or when he shall exercise the office of Governor.

33. IV.

The first General Assembly convened under this Constitution, at their first session, immediately after their permanent organization, shall ratify the amendment to the Constitution of the United States known as the Fourteenth Article, proposed by the Thirty-ninth Congress.

1. V.

The General Assembly shall pass such laws as may be necessary and proper to decide differences by arbitrators, to be appointed by the parties who may choose that summary mode of adjustment.

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1. IX.

The General Assembly shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation of taxation of all property, real, personal and possessory, except mines and mining claims, the proceeds of which alone shall be taxed; and also excepting such property as may be exempted by law for municipal, educational, literary, scientific, religious or charitable purposes.

2. IX.

The General Assembly may provide annually for a poll-tax, not to exceed one dollar on each poll, which shall be applied exclusively to the public school fund. And no additional poll-tax shall be levied by any municipal corporation.

3. IX.

The General Assembly shall provide for an annual tax sufficient to defray the estimated expenses of the State for each year; and whenever it shall happen that such ordinary expenses of the State for any year shall exceed the income of the State for such year, the General Assembly shall provide for levying a tax for the ensuing year sufficient, with other sources of income, to pay the deficiency of the preceding year, together with the estimated expenses of the ensuing year.

5. IX.

It shall be the duty of the General Assembly to enact laws for the exemption from taxation of all public schools, colleges and institutions of learning, all charitable institutions in the nature of asylums for the infirm, deaf and dumb, blind, idiotic and in-

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Sec. Art.

igent persons, all public libraries, churches and burying grounds; but property of associations and societies, although connected with charitable objects, shall not be exempt from State, county or municipal taxation: Provided, That this exemption shall not extend beyond the buildings and premises actually occupied by such schools, colleges, institutions of learning, asylums, libraries, churches and burying grounds, although connected with charitable objects.

6. IX.

The General Assembly shall provide for the valuation and assessment of all lands and the improvement thereon prior to the assembling of the General Assembly of one thousand eight hundred and seventy, and thereafter on every fifth year.

7. XIV.

The printing of the laws, journals, bills, legislative documents and papers for each branch of the General Assembly, with the printing required for the executive and other departments of the State, shall be let on contract, in such manner as shall be prescribed by law.

SOUTH DAKOTA.

9. III.

Each house shall be the judge of the election returns and qualifications of its own members.

A majority of the members of each house shall constitute a quorum, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such a manner and under such penalty as each house may provide.

Each house shall determine the rules of its proceedings, shall choose its own officers and employes and fix the pay thereof,

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except as otherwise provided in this Constitution.

17. III.

Every bill shall be read three several times, but the first and second reading may be on the same day, and the second reading may be by the title of the bill, unless the reading at length be demanded. The first and third readings shall be at length.

19. III.

The presiding officer of each house shall, in the presence of the house over which he presides, sign all bills and joint resolutions passed by the Legislature, after their titles have been publicly read immediately before signing, and the fact of signing shall be entered upon the journal.

27. III.

The Legislature shall direct by law in what manner and in what courts suits may be brought against the State.

12. VI.

No power of suspending laws shall be exercised, unless by the Legislature or its authority.

14. VIII.

The Legislature shall provide by law for the protection of the school lands from the trespass or unlawful appropriation, and for their defense against all unauthorized claims of efforts to divert them from the school fund.

1. XI.

The Legislature shall provide for an annual tax sufficient to defray the estimated ordinary expenses of the State, for each year, not to exceed in any one year two mills on each dollar of the assessed valuation of all taxable property in the State, to be ascertained by the last assessment made for State and county expenses.

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And whenever it shall appear that such ordinary expenses shall exceed the income of the State for such year, the Legislature shall provide for levying a tax for the ensuing year sufficient, with other sources of income, to pay the deficiency of the preceding year, together with the estimated expenses of such ensuing year. And for the purpose of paying the public debt, the Legislature shall provide for levying a tax annually sufficient to pay the annual interest and the principal of such debt within ten years from the final passage of the law creating the debt: Provided, That the annual tax for the payment of the interest and principal of the public debt shall not exceed in any one year two mills on each dollar of the assessed valuation of all taxable property in the State as ascertained by the last assessment made for State and county purpose.

3. XI.

The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the State shall be a party.

4. XI.

The Legislature shall provide for taxing all moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise; and also for taxing the notes and bills discounted or purchased, moneys loaned and all other property, effects, or dues of every description, of all banks and of all bankers, so that all property employed in banking shall always be subject to a taxation equal to that imposed on the property of individuals.

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6. XI.

The Legislature shall, by general law, exempt from taxation, property used exclusively for agricultural and horticultural societies, for school, religious, cemetery and charitable purposes, and personal property to any amount not exceeding in value two hundred dollars, for each individual liable to taxation.

12. XI.

An accurate statement of the receipts and expenditures of the public moneys shall be published annually in such manner as the Legislature may provide.

9. XVII.

The Legislature shall have the power to alter, revise or annul any charter of any corporation now existing and revokable at the taking effect of this Constitution, or any that may be created, whenever in their opinion it may be injurious to the citizens of this State, in such a manner, however, that no injustice shall be done to the incorporators. No law hereafter enacted shall create, renew or extend the charter of more than one corporation.

17. XVII.

The Legislature shall pass laws to correct abuses and prevent discrimination and extortion in the rates of freight and passenger tariffs on the different railroads in this State, and enforce such laws by adequate penalties, to the extent, if necessary, for that purpose, of forfeiture of their property and franchises.

TENNESSEE.

11. II.

The Senate and House of Representatives, when assembled, shall each choose a speaker and its other officers, be judges of

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the qualifications and elections of its members, and sit upon its own adjournments from day to day. Not less than two-thirds of all the members to which each house shall be entitled shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and be authorized by law to compel the attendance of absent members.

12. II.

Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member, but not a second time for the same offense; and shall have all other powers necessary for a branch of the Legislature of a free State.

14. II.

Each house may punish, by imprisonment, during its session, any person not a member, who shall be guilty of disrespect to the house, by any disorderly or any contemptuous behavior in its presence.

18. II.

Every bill shall be read once on three different days, and be passed each time in the House where it originated, before transmission to the other. No bill shall become a law until it shall have been read and passed, on three different days in each House, and shall have received on its final passage, in each house, the assent of a majority of all the members to which that House shall be entitled under this Constitution, and shall have been signed by the respective speakers in open session, the fact of such signing to be noted on the journal; and shall have received the approval of the Governor, or shall have been

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otherwise passed under the provisions of this Constitution.

27. II.

Any member of either house of the General Assembly shall have liberty to dissent from and protest against any act or resolve which he may think injurious to the public or to any individual, and to have the reasons for his dissent entered on the journals.

7. X.

The Legislature shall fix the rate of interest, and the rate so established shall be equal and uniform throughout the State; but the Legislature may provide for a conventional rate of interest, not to exceed ten per centum per annum.

13. X.

The General Assembly shall have power to enact laws for the protection and preservation of game and fish within the State, and such laws may be enacted for and applied and enforced in particular counties or geographical districts designated by the General Assembly.

TEXAS.

28. I.

No power of suspending laws in this State shall be exercised except by the Legislature.

8. III.

Each house shall be the judge of the qualifications and election of its own members; but contested elections shall be determined in such manner as shall be provided by law.

9. III.

The Senate shall, at the beginning and close of each session, and at such other times as may be necessary, elect one of its members president pro tempore, who shall perform the duties of the Lieu-

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tenant-Governor in any case of absence or disability of that officer, and whenever the said office of Lieutenant-Governor shall be vacant. The House of Representatives shall, when it first assembles, organize temporarily, and thereupon proceed to the election of a speaker from its own members; and each house shall choose its other officers.

10. III.

Two-thirds of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as each house may provide.

11. III.

Each house may determine the rules of its own proceedings, punish members for disorderly conduct, and, with the consent of two-thirds, expel a member, but not a second time for the same offense.

15. III.

Each house may punish, by imprisonment, during its sessions, any person not a member for disrespectful or disorderly conduct in its presence, or for obstructing any of its proceedings, provided such imprisonment shall not, at any one time, exceed forty-eight hours.

32. III.

No bill shall have the force of a law until it has been read on three several days in each house and free discussion allowed thereon; but in cases of imperative public necessity (which necessity shall be stated in a preamble, or in the body of the bill), four-fifths of the house in which the bill may be pending may suspend this rule, the yeas

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and nays being taken on the question of suspension, and entered upon the journals.

38. III.

The presiding officer of each house shall, in the presence of the house over which he presides, sign all bills and joint resolutions passed by the Legislature, after their titles have been publicly read before signing, and the fact of signing shall be entered on the journals.

42. III.

The Legislature shall pass such laws as may be necessary to carry into effect the provisions of this Constitution.

25. IV.

The Legislature shall pass efficient laws facilitating the investigation of breaches of trust and duty by all custodians of public funds, and providing for their suspension from office on reasonable cause shown, and for the appointment of temporary incumbents of their offices during such suspension.

22. V.

The Legislature shall have power, by local or general law, to increase, diminish or change the civil and criminal jurisdiction of County Courts; and in cases of such change of jurisdiction the Legislature shall also conform the jurisdiction of the other courts to such change.

27. V.

The Legislature shall, at its first session, provide for the transfer of all business, civil and criminal, pending in District Courts, over which jurisdiction is given by this Constitution to the County Courts or other inferior courts, to such county or inferior courts, and for the trial or disposition of all such causes

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by such county or other inferior courts.

18. VI.

It shall be the duty of the Legislature to pass such laws as may be necessary and proper to decide differences by arbitration, when the parties shall elect that method of trial.

13. VIII.

Provision shall be made by the first Legislature for the speedy sale of a sufficient portion of all lands and other property for the taxes due thereon, and every year thereafter for the sale of all lands and other property upon which the taxes have not been paid, and the deed of conveyance to the purchaser for all lands and other property thus sold shall be held to vest a good and perfect title in the purchaser thereof, subject to be impeached only for actual fraud: Provided, That the former owner shall, within two years from the date of purchaser's deed, have the right to redeem the land upon the payment of double the amount of money paid for the land.

15. VIII.

The annual assessment made upon landed property shall be a special lien thereon, and all property, both real and personal, belonging to any delinquent taxpayer, shall be liable to seizure and sale for the payment of all the taxes and penalties due by such delinquent; and such property may be sold for the payment of the taxes and penalties due by such delinquent, under such regulations as the Legislature may provide.

18. VIII.

The Legislature shall provide for equalizing, as near as may be,

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the valuation of all property subject to or rendered for taxation (the County Commissioners' Court to constitute a board of equalization); and may also provide for the classification of all lands with reference to their value in the several counties.

1. IX.

The Legislature shall have power to create counties for the convenience of the people, subject to the following provisions:

First. In the territory of the State exterior to all counties now existing, no new counties shall be created with a less area than nine hundred square miles, in a square form, unless prevented by pre-existing boundary lines. Should the State lines render this impracticable in border counties, the area may be less. The territory referred to may, at any time, in whole or in part, be divided into counties in advance of population, and attached, for judicial and land surveying purposes, to the most convenient organized county or counties.

Second. Within the territory of any county or counties now existing, no new county shall be created with a less area than seven hundred square miles, nor shall any such, county now existing be reduced to a less area than seven hundred square miles. No new counties shall be created so as to approach nearer than twelve miles of the county seat of any county from which it may, in whole or in part, be taken. Counties of less area than nine hundred, but of seven hundred or more square miles, within counties now existing, may be created by a two-thirds vote of each house of the Legislature, taken by yeas and nays,

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and entered on the journals. Any county now existing may be reduced to, an area of not less than seven hundred square miles by a like two-third vote. When any part of a county is stricken off and attached to or created into another county, the part stricken off shall be holden for and obliged to pay its proportion of all the liabilities then existing of the county from which it was taken, in such manner as may be prescribed by law.

Third. No part of any existing county shall be detached from it and attached to another existing county until the proposition for such change shall have been submitted, in such manner as may be provided by law, to a vote of the electors of both counties, and shall have received a majority of those voting on the question in each.

2. IX.

The Legislature shall pass laws regulating the manner of removing county seats, but no county seat situated within five miles of the geographical center of the county shall be removed except by a vote of two-thirds of all the electors voting on the subject. A majority of such electors, however, voting at such election, may remove a county seat from a point more than five miles from the geographical centre of the county to a point within five miles of such centre, in either case the centre to be determined by a certificate from the commissioner of the general land office.

4. XII.

The first Legislature assembled after the adoption of this Constitution shall provide a mode of procedure by the Attorney-Gen-

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eral and district or county attorneys, in the name and behalf of the State, to prevent and punish the demanding and receiving or collection of any and all charges, to freight, wharfage, fares and tolls, for the use of property devoted to the public, unless the same shall have been specially authorized by law.

21. XVI.

All stationery and printing, except proclamations and such printing as may be done at the deaf and dumb asylum, paper and fuel used in the legislative and other departments of the government, except the judicial department, shall be furnished and the printing and binding of the laws, journals and department reports and all other printing and binding, and the repairing and furnishing the halls and rooms used for the meetings of the Legislature and its committees, shall be performed under contract, to be given to the lowest responsible bidder below such maximum price and under such regulations as shall be prescribed by law. No member or officer of any department of the government shall be in any way interested in such contracts; and all such contracts shall be subject to the approval of the Governor, Secretary of State and Comptroller.

22. XVI.

The Legislature shall have the power to pass such fence laws, applicable to any subdivision of the State or counties, as may be needed to meet the wants of the people.

23. XVI.

The Legislature may pass laws for the regulation of live stock, and the protection of stock-raisers in the stock-raising portion of the State, and exempt from the operation of such laws

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other portions, sections or counties; and shall have power to pass general and special laws for the inspection of cattle, stock and hides, and for the regulation of brands: Provided, That any local law thus passed shall be submitted to the freeholders of the section to be affected thereby, and approved by them before it shall go into effect.

24. XVI.

The Legislature shall make provision for laying out and working public roads, for the building of bridges, and for utilizing fines, forfeitures and convict labor to all these purposes.

29. XVI.

The Legislature shall provide by law for defining and punishing barratry.

31. XVI.

The Legislature may pass laws prescribing the qualifications of practitioners of medicine in this State, and to punish persons for malpractice, but no preference shall ever be given by law to any schools of medicine.

32. XVI.

The Legislature may provide by law for the establishment of a board of health and vital statistics, under such rules and regulations as it may deem proper.

35. XVI.

The Legislature shall, at its first session, pass laws to protect laborers on public buildings, streets, roads, railroads, canals and other similar public works, against the failure of contractors and subcontractors to pay their current wages when due, and to make the corporation, company or individual for whose benefit the work is done, responsible for their ultimate payment.

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37. XVI.

Mechanics, artisans and materialmen, of every class, shall have a lien upon the buildings and articles made or repaired by them, for the value of their labor done thereon, or material furnished therefor; and the Legislature shall provide by law for the speedy and efficient enforcement of said liens.

38. XVI.

The Legislature may, at such time as the public interest may require, provide for the office of commissioner of insurance, statistics and history, whose term of office, duties and salary shall be prescribed by law.

39. XVI.

The Legislature may, from time to time, make appropriations for preserving and perpetuating memorials of the history of Texas, by means of monuments, statues, printings, and documents of historical value.

42. XVI.

The Legislature may establish an inebriate asylum for the cure of drunkenness and reform for inebriates.

46. XVI.

The Legislature shall, at its first session after the adoption of this Constitution, enact effective vagrant laws.

49. XVI.

The Legislature shall have power and it shall be its duty to protect by law from forced sale a certain portion of the personal property of all heads of families, and also of unmarried adults, male and female.

54. XVI.

It shall be the duty of the Legislature to provide for the custody and maintenance of indigent lunatics, at the expense of the

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State, under such regulations and restrictions as the Legislature may prescribe.

55. XVI.

The Legislature may provide annual pensions, not to exceed one hundred and fifty dollars per annum, to surviving soldiers or volunteers in the war between Texas and Mexico, from the commencement of the revolution in 1835 until the first of January, 1837; and also to the surviving signers of the declaration of independence of Texas; and to the surviving widows, continuing unmarried, of such soldiers and signers: Provided, That no such pension be granted except to those in indigent circumstances, proof of which shall be made before the County Court of the county where the applicant resides, in such manner as may be provided by law.

VERMONT.

9. II.

The Representatives so chosen (a majority of whom shall constitute a quorum for transacting any other business than raising a State tax, for which two-thirds of the members elected shall be present) shall meet on the second Thursday of the succeeding October; and shall be styled the General Assembly of the State of Vermont; that they shall have power to choose their Speaker, Secretary of State, their clerk, and other necessary officers of the House—sit on their own adjournments—prepare bills and enact them into laws—judge of the elections and qualifications of their own members; they may expel members, but not for causes known to their constituents antecedent to their election; they may admin-

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ister oaths and affirmations in matters depending before them—redress grievances—impeach State criminals—grant charters of incorporation—constitute towns, boroughs, cities and counties; they may annually, on their first session after their election, in conjunction with the Council (or oftener if need be), elect judges of the Supreme and several County and Probate Courts, sheriffs and justices of the peace; and also, with the Council, may elect major-generals and brigadier-generals, from time to time, as often as there shall be occasion; and they shall have all other powers necessary for the Legislature of a free and sovereign State; but they shall have no power to add to, alter, abolish or infringe any part of this Constitution.

VI.

The Senate shall have the like powers to decide on the election and qualification of, and to expel any of its members, make its own rules and appoint its own officers, as are incident to or are possessed by, the House of Representatives. A majority shall constitute a quorum. The Lieutenant-Governor shall be President of the Senate, except when he shall exercise the office of Governor, or when his office shall be vacant, or in his absence, in which cases the Senate, shall appoint one of its own members to be President of the Senate pro tempore. And the President of the Senate shall have a casting vote, but no other.

V.

A future Legislature may, when they shall conceive the same to be expedient and necessary,

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erect a Court of Chancery, with such powers as are usually exercised by that court, or it shall appear for the interest of this Commonwealth: Provided, They do not constitute themselves the judges of the said court.

XV.

The power of suspending laws or the execution of laws, ought never be exercised but by the Legislature, or by authority derived from it, to be exercised in such particular cases as this Constitution or the Legislature shall provide for.

VIRGINIA.

9. I.

That all power of suspending laws or the execution of laws, by any authority, without consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.

16. IV.

The General Assembly shall have power to establish a bureau of agriculture and immigration under such regulations as may be prescribed.

6. V.

The General Assembly shall meet once in two years, and not oftener, unless convened by the Governor in the manner prescribed in this Constitution. No session of the General Assembly, after the first under this amendment, shall continue longer than ninety days without the concurrence of three-fifths of the members elected to each house; in which case the session may be extended for a further period, not exceeding thirty days. Neither house during the session of the General Assembly shall, without the consent of the other, adjourn for more than three days, nor to any

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place than that in which the two houses shall be sitting. A majority of the members elected to each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and shall have power to compel the attendance of absent members, in such manner and under such penalty as each house may prescribe.

17. V.

The General Assembly shall not grant a charter of incorporation to any church or religious denomination, but may secure the title to church property to an extent to be limited by law.

21. V.

The General Assembly shall provide for the annual registration of births, marriages and deaths.

23. V.

The Legislature shall have power to provide for the government of cities and towns, and to establish such courts therein as may be necessary for the administration of justice.

24. V.

The General Assembly shall have power, by a two-thirds vote, to remove disabilities incurred, under clause third, section one, article third, of this Constitution, with reference to duelling.

7. VII.

The House of Delegates shall choose its own Speaker; and in the absence of the Lieutenant-Governor, or when he shall exercise the office of Governor, the Senate shall choose from their own body a President pro tempore; and each house shall appoint its own officers, settle its own rules of proceeding, and direct writs of election for supplying intermediate vacancies;

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but if vacancies shall occur during the recess of the General Assembly, such writs may be issued by the Governor, under such regulations as may be prescribed by law. Each house shall judge of the election, qualification and returns of its members; may punish them for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. X.

The Legislature may exempt all property used exclusively for State, county, municipal, benevolent, charitable, educational and religious purposes.

4. X.

The General Assembly may levy a tax on income in excess of six hundred dollars per annum, and upon the following licenses, viz.: The sale of ardent spirits, theatrical and circus companies, menageries, jugglers, itinerant peddlers, and all other shows and exhibitions for which an entrance fee is required; commission merchants, persons selling by sample, brokers and pawnbrokers, and all other business which cannot be reached by the ad valorem system. The capital invested in all business operations shall be assessed and taxed as other property. Assessments upon all stock shall be according to the market value thereof.

6. X.

The General Assembly shall provide for a re-assessment of the real estate of this State in the year 1889, or as soon thereafter as practicable, and every fifth year thereafter: Provided, In making such assessment no land shall be assessed above or below its value.

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WASHINGTON.

8. II.

Each house shall be the judge of the election, returns and qualifications of its own members, and a majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day and compel the attendance of absent members, in such manner and under such penalties as each house may provide.

9. II.

Each house may determine the rules of its own proceedings, punish for contempt and disorderly behavior, and, with the concurrence of two-thirds of all the members elected, expel a member, but no member shall be expelled a second time for the same offense.

10. II.

Each House shall elect its own officers; and when the Lieutenant-Governor shall not attend as president, or shall act as Governor, the Senate shall choose a temporary president. When presiding, the Lieutenant-Governor shall have the deciding vote in case of an equal division of the Senate.

29. II.

After the first day of January, eighteen hundred and ninety, the labor of convicts of this State shall not be let out by contract to any person, co-partnership, company or corporation, and the Legislature shall by law provide for the working of convicts for the benefit of the State.

32. II.

No bill shall become a law until the same shall have been signed by the presiding officer of each of the two houses in open ses-

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sion, and under such rules as the Legislature shall prescribe.

3. III.

The Legislature shall provide by general law for the assessing and levying of taxes on all corporation property as near as may be by the same methods as are provided for the assessing and levying of taxes on individual property.

2. VII.

The Legislature shall provide by law a uniform and equal rate of assessment and taxation on all property in the State, according to its value in money, and shall prescribe such regulations by general law as shall secure a just valuation for taxation of all property, so that every person and corporation shall pay a tax in proportion to the value of his, her or its property: Provided, That a reduction of debts from credits may be authorized: Provided further, That the property of the United States, and of the State, counties, school districts and other municipal corporations, and such other property as the Legislature may, by general laws, provide, shall be exempt from taxation.

26. VII.

The Legislature shall direct by law in what manner and in what courts suits may be brought against the State.

5. XI.

The Legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys, and other county, township or precinct and district officers as public convenience may require, and shall prescribe their

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duties and fix their terms of office. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population. And it shall provide for the strict accountability of such officers for all fees which may be collected by them, and for all public moneys which may be paid to them, or officially come into their possession.

1. XV.

The Legislature shall provide for the appointment of a commission, whose duty it shall be to locate and establish harbor lines in the navigable waters of all harbors, estuaries, bays and inlets of this State, wherever such navigable waters lie within or in front of the corporate limits of any city or within one mile thereof upon either side. The State shall never give, sell or lease to any private person, corporation or association any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor line and the line of ordinary high tide, and within not less than fifty feet nor more than six hundred feet of such harbor line (as the commission shall determine) be sold or granted by the State, nor its rights to control the same relinquished, but such area shall be forever reserved for landings, wharves, streets and other conveniences of navigation and commerce.

2. XV.

The Legislature shall provide general laws for the leasing of the right to build and maintain wharves, docks and other structures upon the areas mentioned in section 1 of this article, but

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no lease shall be made for any term longer than thirty years, or the Legislature may provide by general laws for the building and maintaining upon such area wharves, docks and other structures.

1. XIX.

The Legislature shall protect by law from forced sale a certain portion of the homesteads and other property of all heads of families.

2. XX.

The Legislature shall enact laws to regulate the practice of medicine and surgery, and the sale of drugs and medicines.

11. XXVII.

The Legislature, at its first session, shall provide for the election of all officers whose election is not provided for elsewhere in this Constitution, and fix the time for the commencement and duration of their term.

WEST VIRGINIA.

8. IV.

The Legislature, in cases not provided for in this Constitution, shall prescribe, by general laws, the terms of office, powers, duties and compensation of all public officers and agents, and the manner in which they shall be elected, appointed and removed.

24. VI.

A majority of the members elected to each house of the Legislature, shall constitute a quorum. But a smaller number may adjourn from day to day, and shall be authorized to compel the attendance of absent members, as each house may provide. Each house shall determine the rules of its proceedings and be the judge of the elections, returns and qualifications of its own members. The Senate shall choose from

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its own body, a President; and the house of Delegates, from its own body a Speaker. Each house shall appoint its own officers, and remove them at pleasure. The oldest Delegate present shall call the house to order, at the opening of each new House of Delegates, and preside over it until the Speaker thereof shall have been chosen, and have taken his seat. The oldest member of the Senate present at the commencement of each regular session thereof, shall call the Senate to order, and preside over the same until a President of the Senate shall have been chosen, and have taken his seat.

25. VI.

Each house may punish its own members for disorderly behavior, and, with the concurrence of two-thirds of the members elected thereto, expel a member, but not twice for the same offense.

26. VI.

Each house shall have power to provide for its own safety, and the undisturbed transaction of its business, and may punish, by imprisonment, any person not a member for disrespectful behavior in its presence, for obstructing any of its proceedings, or any of its officers in the discharge of his duties, or for any assault, threat or abuse of a member for words spoken in debate. But such imprisonment shall not extend beyond the termination of the session, and shall not prevent the punishment of any offense by the ordinary course of law.

29. VI.

No bill shall become a law until it has been fully and distinctly read, on three different days, in each house, unless in case of

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emergency, by a vote of four-fifths of the members present taken by yeas and nays, on each bill, this rule be dispensed with: Provided, In all cases, that an engrossed bill shall be fully and distinctly read in each house.

84. VI.

The Legislature shall provide by law that the fuel, stationery and printing paper furnished for the use of the State; the copying, printing, binding and distributing the laws and journals; and all other printing ordered by the Legislature, shall be let by contract to the lowest responsible bidder, bidding under a maximum price to be fixed by the Legislature; and no member or officer thereof, or officer of the State, shall be interested, directly or indirectly, in such contract, but all such contracts shall be subject to the approval of the Governor, and in case of his disapproval of any such contract, there shall be a re-letting of the same, in such manner as may be prescribed by law.

2. X.

The Legislature shall levy an annual capitation tax of one dollar upon each male inhabitant of the State who has attained the age of twenty-one years, which shall be annually appropriated to the support of free schools. Persons afflicted with bodily infirmity may be exempt from this tax.

10. XI.

The Legislature shall, in the law regulating railway companies, require railroads running through, or within a half-mile of town or village, containing three hundred or more inhabitants, to establish stations for the accommodation of trade and travel of said town or village.

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WISCONSIN.

7. IV.

Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such manner and under such penalties as each house may provide.

8. IV.

Each house may determine the rules of its own proceedings, punish for contempt and disorderly behavior, and with the concurrence of two-thirds of all the members elected, expel a member; But no member shall be expelled a second time for the same cause.

9. IV.

Each house shall choose its own officers, and the Senate shall choose a temporary president, when the Lieutenant-Governor shall not attend as president, or shall act as Governor.

25. IV.

The Legislature shall provide by law that all stationery required for the use of the State, and all printing authorized and required by them to be done for their use, or for the State, shall be let by contract to the lowest bidder; but the Legislature may establish a maximum price. No member of the Legislature, or other State officer, shall be interested, either directly or indirectly, in any such contract.

27. IV.

The Legislature shall direct by law in what manner and in what court suit may be brought against the State.

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WYOMING.**10. III.**

The Senate shall, at the beginning and close of each regular session, and at such other times as may be necessary, elect one of its members President; the House of Representatives shall elect one of its members Speaker; each house shall choose its own officers, and shall judge of the election returns and qualifications of its members.

11. III.

A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as each house may prescribe.

12. III.

Each house shall have power to determine the rules of its proceedings, and to punish its members or other persons for contempt or disorderly behavior in its presence; to protect its members against violence or offers of bribes or private solicitation, and with the concurrence of two-thirds, to expel a member, and shall have all other powers necessary to the Legislature of a free State. A member expelled for corruption shall not thereafter be eligible to either house of the Legislature, and punishment for contempt or disorderly behavior shall not bar a criminal prosecution for the same offense.

13. III.

Each house shall keep a journal of its proceedings and may in its discretion, from time to time, publish the same, except such parts as require secrecy, and the yeas and nays on any question, shall, at the request

Sec. Art.

of two members, be entered on the journal.

14. III.

The sessions of each house and of the committee of the whole shall be open unless the business is such as requires secrecy.

15. III.

Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses may be sitting.

28. III.

The presiding officer of each house shall, in the presence of the house over which he presides, sign all bills and joint resolutions passed by the Legislature; immediately after their titles have been publicly read, and the fact of signing shall be at once entered upon the journal.

29. III.

The Legislature shall prescribe by law the number, duties and compensation of the officers and employes of each house, and no payment shall be made from the State treasury, or be in any way authorized to any such person except to an acting officer or employe elected or appointed in pursuance of law.

31. III.

All stationery, printing, paper, fuel and lights used in the Legislature and other departments of government shall be furnished, and the printing and binding of the laws, journals and department reports and other printing and binding, and the repairing and furnishing of the halls and rooms used for the meeting of the Legislature and its committees, shall be performed under contract, to be given to the lowest responsible bidder below

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Sec. Art.

such maximum price and under such regulations as may be prescribed by law. No member or officer of any department of the government shall be in any way interested in any such contract; and all such contracts shall be subject to the approval of the Governor and State Treasurer.

20. VII.

As the health and morality of the people are assential to their well being, and to the peace and permanence of the State, it shall be the duty of the Legislature to protect and promote these vital interests by such measures for the encouragement of temperance and virtue, and such restrictions upon vice and immorality of every sort, as are deemed necessary to the public welfare.

2. IX.

The Legislature shall provide by law for the proper development, ventilation, drainage and operation of all mines in this State.

10. X.

The Legislature shall provide by suitable legislation for the organization of mutual and co-operative associations or corporations.

2. XII.

The Legislature shall provide by general law for organizing new counties, locating the county seats thereof temporarily and changing county lines. But no new county shall be formed unless it shall contain within the limits thereof property of the valuation of two million dollars, as shown by the last preceding tax returns, and then not unless the remaining portion of the old county or counties shall each contain property of at least three millions of dollars of assessable valuation; and no new

Sec. Art.

county shall be organized, nor shall any organized county be so reduced as to contain a population of less than one thousand five hundred bona fide inhabitants, and in case any portion of an organized county or counties is stricken off to form a new county, the new county shall assume and be holden for an equitable proportion of the indebtedness of the county or counties so reduced. No county shall be divided unless a majority of the qualified electors of the territory proposed to be cut off voting on the proposition shall vote in favor of the division.

3. XII.

The Legislature shall provide by general law for changing county seats in organized counties, but it shall have no power to remove the county seat of any organized county.

1. XIV.

All State, city, county, town and school officers (excepting justices of the peace and constables in precincts having less than fifteen hundred population and excepting court commissioners, boards of arbitration and notaries public) shall be paid fixed and definite salaries. The Legislature shall, from time to time, fix the amount of such salaries as are not already fixed by this Constitution, which shall in all cases be in proportion to the value of the services rendered and the duty performed.

4. XIV.

The Legislature shall provide by general law for such deputies as the public necessities may require, and shall fix their compensation.

6. XIV.

Whenever practicable the Legislature may, and whenever the

Powers of Each House.

Sec. Art.

same can be done without detriment to the public service, shall consolidate offices in State, county and municipalities respectively, and whenever so consolidated, the duties of such additional office shall be performed under an ex officio title.

11. XV.

All property, except as in this Constitution otherwise provided, shall be uniformly assessed for taxation, and the Legislature shall prescribe such regulations as shall secure a just valuation for taxation of all property, real and personal.

14. XV.

The power of taxation shall never be surrendered or suspended by any grant or contract to which the State or any county or other municipal corporation shall be a party.

4. XVIII.

The Legislature shall enact the necessary laws for the sale, disposal, leasing or care of all lands that have been or may hereafter be granted to the State, and shall, at the earliest practicable

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period, provide by law for the location and selection of all lands that have been or may hereafter be granted by congress to the State, and shall pass laws for the suitable keeping, transfer and disbursement of the land grant funds, and shall require of all officers charged with the safe keeping thereof to give ample bonds for all moneys and funds received by them.

1. XIX.

The Legislature shall pass all necessary laws to provide for the protection of live stock against the introduction or spread of pleuro-pneumonia, glanders, splenic or Texas fever, or other infectious or contagious diseases. The Legislature shall also establish a system of quarantine, or inspection, and such other regulations as may be necessary for the protection of stock owners, and most conducive to the stock interests within the State.

14. XXI.

The Legislature shall pass all necessary laws to carry into effect the provisions of this Constitution.

Journals to be Kept.

JOURNALS TO BE KEPT.

1 Sec. 11. Each house shall keep a journal of its proceed-
 2 ings, and publish the same, except such parts as may require
 3 secrecy. The doors of each house shall be kept open, except
 4 when the public welfare shall require secrecy. Neither house
 5 shall, without the consent of the other, adjourn for more than
 6 two days.

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ALABAMA.**13. IV.**

Each house shall keep a journal of its proceedings, and cause the same to be published immediately after its adjournment, excepting such parts as, in its judgment may require secrecy; and the yeas and nays of the members of either house, on any question shall, at the desire of one-tenth of the members present, be entered on the journals. Any member of either house shall have liberty to dissent from or protest against any act or resolution which he may think injurious to the public or an individual, and have the reasons for his dissent entered on the journals.

15. IV.

The doors of each house shall be open, except on such occasions as, in the opinion of the house, may require secrecy.

16. IV.

Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting.

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ARKANSAS.**13. V.**

The sessions of each house and of committees of the whole shall be open, unless when the business is such as ought to be kept secret.

28. V.

Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

CALIFORNIA.**10. IV.**

Each House shall keep a journal of its proceedings, and publish the same, and the yeas and nays of the members of either House, on any question, shall, at the desire of any three members present, be entered on the journal.

13. IV.

The doors of each house shall be open, except on such occasions as, in the opinion of the house, may require secrecy.

14. IV.

Neither house shall, without the consent of the other, adjourn for

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more than three days, nor to any place other than that in which they may be sitting. Nor shall the members of either house draw pay for any recess or adjournment for a longer time than three days.

COLORADO.

13. V.

Each house shall keep a journal of its proceedings, and may, in its discretion, from time to time, publish the same, except such parts as require secrecy, and the ayes and noes on any question shall, at the desire of any two members, be entered on the journal.

14. V.

The sessions of each house, and of the committees of the whole, shall be open, unless when the business is such as ought to be kept secret.

15. V.

Neither house shall, without the consent of the other, adjourn for more than three days, nor to any place than that in which the two houses shall be sitting.

CONNECTICUT.

9. III.

Each House shall keep a journal of its proceedings, and publish the same when required by one-fifth of its members, except such parts as, in the judgment of a majority, require secrecy. The yeas and nays of the members of either House shall, at the desire of one-fifth of those present, be entered on the journals.

11. III.

The debates of each House shall be public, except on such occasions as, in the opinion of the House, may require secrecy.

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DELAWARE.

8. II.

Each House shall keep a journal of its proceedings, and publish them immediately after every session, except such parts as may require secrecy; and the yeas and nays of the members on any question shall, at the desire of any member, be entered on the journal.

9. II.

The doors of each House, and of the committees of the whole, shall be open, unless when the business is such as ought to be kept secret.

10. II.

Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

FLORIDA.

12. III.

Each House shall keep a journal of its own proceedings, which shall be published, and the yeas and nays of the members of either House on any question shall, at the desire of any five members present, be entered on the journal.

13. III.

The doors of each House shall be kept open during its sessions, except the Senate, while sitting in executive session; and neither shall, without the consent of the other, adjourn for more than three days, or to any other town than that in which they may be holding their session.

GEORGIA.

7. III.

Par. IV. Each house shall keep a journal of its proceedings, and publish it immediately after its adjournment.

Journals to be Kept.

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7. III.

Par. XXIV. Neither house shall adjourn for more than three days, or to any other place, without the consent of the other; and in case of a disagreement between the two houses on a question of adjournment, the Governor may adjourn either or both of them.

IDAHO.

13. III.

Each House shall keep a journal of its proceedings; and the yeas and nays of the members of either House on any question shall, at the request of any three members present, be entered on the journal.

12. III.

The business of each house, and of the committee of the whole, shall be transacted openly and not in secret session.

10. V.

The door of each House and of committees of the whole shall be kept open, except in such cases as, in the opinion of the House, require secrecy. Neither House shall, without the consent of the other, adjourn for more than two days, or to any other place than that in which the two houses shall be sitting. Each House shall keep a journal of its proceedings, which shall be published. In the Senate, at the request of two members, and in the House at the request of five members, the yeas and nays shall be taken on any question, and entered upon the journal. Any two members of either House shall have liberty to dissent from and protest, in respectful language, against any act or resolution which they think injurious to the public or to any individual, and have the reasons

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of their dissent entered upon the journals.

INDIANA.

12. IV.

Each House shall keep a journal of its proceedings, and publish the same. The yeas and nays, on any question, shall, at the request of any two members, be entered, together with the names of the members demanding the same, on the journal: Provided, That on a motion to adjourn, it shall require one-tenth of the members present to order the yeas and nays.

ILLINOIS.

13. IV.

The doors of each House, and of the committees of the whole, shall be kept open, except in such cases as, in the opinion of either House, may require secrecy.

IOWA.

9. III.

Each House shall sit upon its own adjournments, keep a journal of its proceedings, and publish the same; determine its rules of proceedings, punish members for disorderly behavior, and, with the consent of two-thirds, expel a member, but not a second time for the same offense; and shall have all other powers necessary for a branch of the General Assembly of a free and independent State.

13. III.

The doors of each House shall be open, except on such occasions as, in the opinion of the House, may require secrecy.

14. III.

Neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting.

Journals to be Kept.

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KANSAS.**10. II.**

Each house shall keep and publish a journal of its proceedings. The yeas and nays shall be taken and entered immediately on the journal, upon the final passage of every bill or joint resolution. Neither house, without the consent of the other, shall adjourn for more than two days, Sundays excepted.

KENTUCKY.**41.**

Neither house, during the session of the General Assembly, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which it may be sitting.

MAINE.**5. IV.**

Each house shall keep a journal, and from time to time publish its proceedings, except such parts as in their judgment may require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journals.

12. IV.

Neither house shall, during the session, without the consent of the other, adjourn for more than two days, nor to any other place than that in which the houses shall be sitting.

MARYLAND.**21. III.**

The doors of each House and of the committees of the whole shall be open, except when the business is such as ought to be kept secret.

22. III.

Each House shall keep a journal of its proceedings and cause the same to be published. The yeas

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and nays of members on any question shall, at the call of any five of them in the House of Delegates, or one in the Senate, be entered on the journal.

25. III.

Neither House shall, without the consent of the other, adjourn for more than three days, at any one time, nor adjourn to any other place than that in which the House shall be sitting, without the concurrent vote of two-thirds of the members present.

MASSACHUSETTS.**3. I.**

VIII. The House of Representatives shall have power to adjourn themselves, provided such adjournment shall not exceed two days at a time.

2. II.

VI. The Senate shall have power to adjourn themselves, provided such adjournments do not exceed two days at a time.

MICHIGAN.**10. IV.**

Each house shall keep a journal of its proceedings, and publish the same, except such parts as may require secrecy. The yeas and nays of the members of either house on any question, shall be entered on the journal at the request of one-fifth of the members elected. Any member of either house may dissent from and protest against any act, proceeding or resolution which he may deem injurious to any person or the public, and have the reason of his dissent entered on the journal.

12. IV.

The doors of each house shall be open, unless the public welfare require secrecy. Neither house

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shall, without the consent of the other, adjourn for more than three days, nor to any other place than where the Legislature may then be in session.

MINNESOTA.

5. IV.

The House of Representatives shall elect its presiding officer, and the Senate and House of Representatives shall elect such other officers as may be provided by law; they shall keep journals of their proceedings, and from time to time publish the same, and the yeas and nays when taken on any question, shall be entered on such journals.

6. IV.

Neither house shall, during a session of the Legislature, adjourn for more than three days (Sunday excepted), nor to any other place than that in which the two houses shall be assembled, without the consent of the other house.

MISSISSIPPI.

67. IV.

Neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

58. IV.

The doors of each House, when in session, or in committee of the whole, shall be kept open, except in cases which may require secrecy; and each House may punish by fine and imprisonment, any person not a member, who shall be guilty of disrespect to the House, by any disorderly or contemptuous behavior in its presence, or who shall in any way disturb its deliberations during the session; but such im-

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prisonment shall not extend beyond the final adjournment of that session.

MISSOURI.

19. IV.

The sessions of each house shall be held with open doors, except in cases which may require secrecy.

23. IV.

Neither House shall, without the consent of the other, adjourn for more than two days at any one time, nor to any other place than that in which the two Houses may be sitting.

42. IV.

Each House shall, from time to time, publish a journal of its proceedings, and the yeas and nays on any question shall be taken and entered on the journal at the motion of any two members. Whenever the yeas and nays are demanded, the whole list of members shall be called, and the names of the absentees shall be noted and published in the journal.

MONTANA.

12. V.

Each house shall keep a journal of its proceedings, and may, in its discretion, from time to time, publish the same, except such parts as require secrecy, and the yeas and noes on any question shall, at the request of any two members, be entered on the journal.

13. V.

The sessions of each house and of the committee of the whole shall be open, unless the business is such as requires secrecy.

14. V.

Neither house shall, without consent of the other, adjourn for more than three days, nor to

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any other place than that in which the two houses shall be sitting.

NEBRASKA.**8. III.**

Each House shall keep a journal of its proceedings, and publish them (except such parts as may require secrecy), and the yeas and nays of the members on any question shall, at the desire of any two of them, be entered on the journal. All votes in either House shall be viva voce. The doors of each House, and of (the) committee of the whole, shall be open, unless when the business shall be such as ought to be kept secret. Neither House shall, without the consent of the other, adjourn for more than three days.

NEVADA.**14. IV.**

Each House shall keep a journal of its own proceedings, which shall be published, and the yeas and nays of the members of either House, on any question, shall, at the desire of any three members present, be entered on the journal.

15. IV.

The doors of each house shall be kept open during its session, except the Senate, while sitting in executive session; and neither shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be holding their sessions.

NEW HAMPSHIRE.**8. II.**

The doors of the galleries of each House of the Legislature shall be kept open to all persons who behave decently, except when the welfare of the State, in the

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opinion of either branch, shall require secrecy.

19. II.

The House of Representatives shall have power to adjourn themselves, but no longer than two days at a time.

NEW JERSEY.**4. IV.**

Each House shall keep a journal of its proceedings, and from time to time publish the same; and the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the journal.

5. IV.

Neither House, during the session of the Legislature, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

NORTH CAROLINA.**16. II.**

Each house shall keep a journal of its proceedings, which shall be printed and made public immediately after the adjournment of the General Assembly.

NORTH DAKOTA.**49. II.**

Each house shall keep a journal of its proceedings, and the yeas and nays on any question shall be taken and entered on the journal at the request of one-sixth of those present.

50. II.

The sessions of each House and of the committee of the whole shall be open, unless the business is such as ought to be kept secret.

51. II.

Neither House shall, without the

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consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting, except in case of epidemic, pestilence or other great danger.

OHIO.

9. II.

Each house shall keep a correct journal of its proceedings, which shall be published. At the desire of any two members, the yeas and nays shall be entered upon the journal; and, on the passage of every bill, in either house, the vote shall be taken by yeas and nays, and entered upon the journal; and no law shall be passed in either house without the concurrence of a majority of all the members elected there-to.

13. II.

The proceedings of both houses shall be public, except in cases which, in the opinion of two-thirds of those present, require secrecy.

14. II.

Neither house shall, without the consent of the other, adjourn for more than two days, Sundays excluded; nor to any other place than that in which the two houses shall be in session.

OREGON.

13. IV.

Each house shall keep a journal of its proceedings. The yeas and nays on any question shall, at the request of any two members, be entered, together with the names of the members demanding the same, on the journal; Provided, That on a motion to adjourn, it shall require one-tenth of the members present to order the yeas and nays.

14. IV.

The doors of each house, and of

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committees of the whole, shall be kept open, except in such cases as in the opinion of either house may require secrecy.

PENNSYLVANIA.

12. II.

Each House shall keep a journal of its proceedings and from time to time publish the same, except such parts as require secrecy, and the yeas and nays of the members on any question shall, at the desire of any two of them, be entered on the journal.

13. II.

The sessions of each House and of the committees of the whole shall be open, unless when the business is such as ought to be kept secret.

14. II.

Neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SOUTH CAROLINA.

25. II.

Neither house, during the session of the General Assembly, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the Assembly shall be at the time sitting.

26. II.

Each house shall keep a journal of its own proceedings, and cause the same to be published immediately after its adjournment, excepting such parts as in its judgment may require secrecy; and the yeas and nays of the members of either house, on any question, shall, at the desire of any two members present, be entered on the journals. Any member of either house

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shall have liberty to dissent from, and protest against, any act or resolution which he may think injurious to the public or to an individual, and have the reasons for his dissent entered on the journals.

27. II.

The doors of each house shall be open, except on such occasions as in the opinion of the house may require secrecy.

SOUTH DAKOTA.

13. III.

Each house shall keep a journal of its proceedings and publish the same from time to time, except such parts as require secrecy, and the yeas and nays of members on any question shall be taken at the desire of one-sixth of those present and entered upon the journal.

15. III.

The sessions of each house and of the committee of the whole shall be open, unless when the business is such as ought to be kept secret.

16. III.

Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

TENNESSEE.

16. II.

Neither house shall, during its session, adjourn without the consent of the other, for more than three days, nor to any other place than that in which the two houses shall be sitting.

21. II.

Each house shall keep a journal of its proceedings, and publish it, except such parts as the welfare of the State may require to be kept secret; the yeas and noes

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shall be taken in each house upon the final passage of every bill of a general character, and bills making appropriations of public moneys; and the yeas and noes of the members on any question shall, at the request of any five of them, be entered on the journal.

22. II.

The doors of each house and of committees of the whole shall be kept open, unless when the business shall be such as ought to be kept secret.

TEXAS.

12. III.

Each house shall keep a journal of its proceedings, and publish the same; and the yeas and nays of the members of either house on any question shall, at the desire of any three members present, be entered on the journals.

16. III.

The sessions of each house shall be open, except the Senate, when in executive session.

17. III.

Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that where the Legislature may be sitting.

VIRGINIA.

10. V.

Each house of the General Assembly shall keep a journal of its proceedings, which shall be published from time to time; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal. No bill shall become a law until it has been read on three different days of the session in the house in which it originated, unless two-thirds of the members in

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that house shall otherwise determine.

WASHINGTON.**11. II.**

Each House shall keep a journal of its proceedings and publish the same, except such parts as require secrecy. The doors of each House shall be kept open, except when the public welfare shall require secrecy. Neither House shall adjourn for more than three days, nor to any place other than that in which they may be sitting, without the consent of the other.

WEST VIRGINIA.**23. VI.**

Neither House shall, during the session, adjourn for more than three days, without the consent of the other. Nor shall either, without such consent, adjourn

Sec. Art.

to any other place than that in which the Legislature is sitting.

41. VI.

Each House shall keep a journal of its proceedings, and cause the same to be published from time to time, and all bills and joint resolutions shall be described therein, as well by their title as their number, and the yeas and nays on any question, if called for by one-tenth of those present, shall be entered on the journal.

WISCONSIN.**10. IV.**

Each House shall keep a journal of its proceedings, and publish the same, except such parts as require secrecy. The doors of each House shall be kept open, except when the public welfare shall require secrecy. Neither House shall, without the consent of the other, adjourn for more than three days.

No Member to be Questioned, etc.

NO MEMBER TO BE QUESTIONED, ETC.

- 1 Sec. 12. For any speech or debate in either house of
 2 the Legislature, the members shall not be questioned in any
 3 other place.

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ALABAMA.

14. IV.

Members of the General Assembly shall, in all cases except treason, felony, violation of their oath of office and breach of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

GEORGIA.

7. III.

The members of both houses shall be free from arrest during their attendance on the General Assembly and in going thereto or returning therefrom, except for treason, felony, larceny or breach of the peace; and no member shall be liable to answer in any other place for anything spoken in debate in either house.

KANSAS.

22. II.

For any speech or debate in either house, the members shall not be questioned elsewhere. No member of the Legislature shall be subject to arrest—except for felony or breach of the peace—in going to, or returning from, the place of meeting, or during the continuance of the session; neither shall he be subject to the service of any civil process

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during the session, nor for fifteen days previous to its commencement.

KENTUCKY.

43.

The members of the General Assembly shall in all cases, except treason, felony, breach or surety of the peace, be privileged from arrest during their attendance on the sessions of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

LOUISIANA.

26.

The members of the General Assembly shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

MAINE.

8. IV.

The Senators and Representatives shall in all cases, except treason, felony or breach of the peace, be privileged from arrest during their attendance at, going to, and returning from each session of the Legislature; and no mem-

No Member to be Questioned, etc.

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ber shall be liable to answer for anything spoken in debate in either house, in any court or place elsewhere.

MARYLAND.

18. III.

No Senator or Delegate shall be liable in any civil action or criminal prosecution whatever for words spoken in debate.

MASSACHUSETTS.

21.

The freedom of deliberation, speech, and debate, in either house of the Legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever.

MICHIGAN.

7. VII.

Senators and Representatives shall in all cases, except treason, felony or breach of the peace, be privileged from arrest. They shall not be subject to any civil process during the session of the Legislature, or for fifteen days next before the commencement and after the termination of each session. They shall not be questioned in any other place for any speech in either house.

MINNESOTA.

8. VIII.

The members of each house shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during the session of their respective houses, and in going to or returning from the same. For any speech or debate in either house, they shall not be questioned in any other place.

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MISSOURI.

12. XIV.

Senators and Representatives shall in all cases, except treason, felony or breach of the peace, be privileged from arrest during the session of the General Assembly, and for fifteen days next before the commencement and after the termination of each session; and for any speech or debate in either house they shall not be questioned in any other place.

MONTANA.

15. V.

The members of the Legislative Assembly shall in all cases, except treason, felony, violation of their oath of office and breach of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

NEBRASKA.

23. III.

No member of the Legislature shall be liable in any civil or criminal action whatever for words spoken in debate.

NEW HAMPSHIRE.

30. I.

The freedom of deliberation, speech, and debate in either house of the Legislature is so essential to the rights of the people, that it cannot be the foundation of any action, complaint, or prosecution in any other court or place whatsoever.

NEW JERSEY.

8. IV.

Members of the Senate and General Assembly shall in all cases, except treason, felony and breach of the peace, be privi-

No Member to be Questioned, etc.

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leged from arrest during their attendance at the sitting of their respective houses, and in going to and returning from the same; and for any speech or debate, in either house, they shall not be questioned in any other place.

NORTH DAKOTA.

42. II.

The members of the Legislative Assembly shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to or returning from the same. For words used in any speech or debate in either house, they shall not be questioned in any other place.

OHIO.

12. II.

Senators and Representatives, during the session of the General Assembly, and in going to and returning from the same, shall be privileged from arrest in all cases except treason, felony or breach of the peace; and for any speech or debate, in either house, they shall not be questioned elsewhere.

OREGON.

9. IV.

Senators and Representatives in all cases, except for treason, felony or breaches of the peace, shall be privileged from arrest during the session of the Legislative Assembly, and in going to and returning from the same; and shall not be subject to any civil process during the session of the Legislative Assembly, nor during the fifteen days next before the commencement thereof. Nor shall a member, for words uttered in debate in either house, be questioned in any other place.

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PENNSYLVANIA.

15. II.

The members of the General Assembly shall in all cases, except treason, felony, violation of their oath of office, and breach or surety of the peace, be privileged from arrest during their attendance at the sessions of their respective houses and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

SOUTH DAKOTA.

11. III.

Senators and Representatives shall in all cases, except treason, felony or breach of the peace, be privileged from arrest during the session of the Legislature, and in going to and returning from the same; and for words used in any speech or debate in either house, they shall not be questioned in any other place.

TENNESSEE.

13. II.

Senators and Representatives shall in all cases, except treason, felony or breach of the peace, be privileged from arrest during the session of the General Assembly, and in going to or returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

TEXAS.

14. III.

Senators and Representatives shall, except in cases of treason, felony or breach of the peace, be privileged from arrest during the session of the Legislature, and in going to and returning from the same, allowing one day for every twenty miles such member resides from the place

No Member to be Questioned, etc.

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at which the Legislature is convened.

21. III.

No member shall be questioned in any other place for words spoken in debate in either house.

VERMONT.

The freedom of deliberation, speech and debate in the Legislature is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever.

VIRGINIA.

11. V.

The members of the General Assembly shall in all cases, except treason, felony or breach of the peace, be privileged from arrest during the sessions of their respective houses; and for any speech or debate in either house they shall not be questioned in any other place. They shall not be subject to arrest, under any civil process, during the sessions of the General Assembly, nor for fifteen days next before the convening and after the termination of each session.

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WEST VIRGINIA.

17. VI.

Members of the Legislature shall, in all cases, except treason, felony and breach of the peace, be privileged from arrest during the session, and for ten days before and after the same; and for words spoken in debate, or on any report, motion or proposition made in either house, a member shall not be questioned in any other place.

WISCONSIN.

16. IV.

No member of the Legislature shall be liable in any civil action or criminal prosecution whatever, for words spoken in debate.

WYOMING.

16. III.

The members of the Legislature shall in all cases, except treason, felony, violation of their oath of office and breach of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

Bills May Originate in Either House.

BILLS MAY ORIGINATE IN EITHER HOUSE.

- 1 Sec. 13. Any bill may originate in either house of the
 2 Legislature, and all bills passed by one house may be amended
 3 by the other.

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ALABAMA.**31. IV.**

All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose amendments, as in other bills.

CALIFORNIA.**15. IV.**

No law shall be passed except by bill. Nor shall any bill be put upon its final passage until the same, with the amendments thereto, shall have been printed for the use of the members; nor shall any bill become a law unless the same be read on three several days in each house, unless, in case of urgency, two-thirds of the house where such bill may be pending shall, by a vote of the yeas and nays, dispense with this provision. Any bill may originate in either house, but may be amended or rejected by the other; and on the final passage of all bills they shall be read at length, and the vote shall be by yeas and nays upon each bill separately, and shall be entered on the journal, and no bill shall become a law without the concurrence of a majority of the members elected to each house.

COLORADO.**31. V.**

All bills for raising revenue shall originate in the House of Representatives, but the Senate may

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propose amendments, as in case of other bills.

DELAWARE.**14. II.**

All bills for raising revenue shall originate in the House of Representatives; but, the Senate may propose alterations as on other bills; and no bill, from the operation of which when passed into a law revenue may incidentally arise, shall be accounted a bill for raising revenue; nor shall any matter or clause whatever, not immediately relating to and necessary for raising revenue, be in any manner blended with or annexed to a bill for raising revenue.

FLORIDA.**14. III.**

Any bill may originate in either house of the Legislature, and after being passed in one house, may be amended in the other.

GEORGIA.**7. III.**

All bills for raising revenue or appropriating money shall originate in the House of Representatives, but the Senate may propose or concur in amendments, as in other bills.

15. III.

All special or local bills shall originate in the House of Representatives. The Speaker of the

Bills May Originate in Either House.

Sec. Art.

House of Representatives shall, within five days from the organization of the General Assembly, appoint a committee, consisting of one from each Congressional district, whose duty it shall be to consider and consolidate all special and local bills on the same subject, and report the same to the House; and no special or local bill shall be read or considered by the House until the same has been reported by said committee, unless by a two-thirds vote. And no bill shall be considered or reported to the House by said committee unless the same shall have been laid before it within fifteen days after the organization of the General Assembly, except by a two-thirds vote.

14. II. IDAHO.

Bills may originate in either house, but may be amended or rejected in the other, except that bills for raising revenue shall originate in the House of Representatives.

12. V. ILLINOIS.

Bills may originate in either house, but may be altered, amended or rejected by the other; and on the final passage of all bills, the vote shall be by yeas and nays, upon each bill separately, and shall be entered upon the journal; and no bill shall become a law without the concurrence of a majority of the members elected to each house.

15. III. IOWA.

Bills may originate in either house, and may be amended, altered or rejected by the other; and every bill having passed both houses, shall be signed by

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the speaker and president of their respective houses.

17. IV.

Bills may originate in either house, but may be amended or rejected in the other, except that bills for raising revenue shall originate in the House of Representatives.

KANSAS.

12. II.

Bills may originate in either house, but may be amended or rejected by the other.

KENTUCKY.

47.

All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose amendments thereto: Provided, No new matter shall be introduced, under color of amendment, which does not relate to raising revenue.

LOUISIANA.

35.

All bills for raising revenue or appropriating money shall originate in the House of Representatives, but the Senate may propose to concur in amendments, as in other bills.

38.

No amendment to bills by one house shall be concurred in by the other, except by a vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting for or against recorded upon the journal thereof. And reports of committees of conference shall be adopted in either house only by a majority of the members elected thereto, the vote to be taken by yeas and nays, and the names of those voting for or against recorded upon the journal.

Bills May Originate in Either House.

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MAINE.**9. IV.**

Bills, orders or resolutions, may originate in either house, and may be altered, amended or rejected in the other; but all bills for raising a revenue shall originate in the House of Representatives, but the Senate may propose amendments as in other cases: Provided, That they shall not, under color of amendment, introduce any new matter, which does not relate to raising a revenue.

MARYLAND.**27. III.**

Any bill may originate in either house of the General Assembly, and be altered, amended or rejected by the other; but no bill shall originate in either house during the last ten days of the session, unless two-thirds of the members elected thereto shall so determine by yeas and nays, nor shall any bill become a law, until it be read on three different days of the session in each house, unless two-thirds of the members elected to the house, where such bill is pending, shall so determine by yeas and nays; and no bill shall be read a third time until it shall have been actually engrossed for a third reading.

MASSACHUSETTS.**3. I.**

All money bills shall originate in the House of Representatives, but the Senate may propose or concur with amendments, as on other bills.

MICHIGAN.**13. IV.**

Bills may originate in either house of the Legislature.

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MINNESOTA.**10. IV.**

All bills for raising a revenue shall originate in the House of Representatives, but the Senate may propose and concur with amendments, as on other bills.

MISSISSIPPI.**59. IV.**

Bills may originate in either house and be amended or rejected in the other; and every bill shall be read on three different days in each house unless two-thirds of the house where the same is pending shall dispense with the rules; and every bill shall be read in full immediately before the vote on its final passage; and every bill having passed both houses shall be signed by the president of the Senate and the speaker of the House of Representatives, in open session; but before either shall sign any bill, he shall give notice thereof, suspend business in the house over which he presides, have the bill read by its title, and on the demand of any member, have it read in full; and all such proceedings shall be entered on the journal.

MISSOURI.**26. IV.**

Bills may originate in either house and may be amended or rejected by the other; and every bill shall be read on three different days in each house.

MONTANA.**32. V.**

All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose amendments, as in the case of other bills.

NEBRASKA.**9. III.**

Any bill may originate in either house of the Legislature, except

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bills appropriating money, which shall originate only in the House of Representatives, and all bills passed by one house may be amended by the other.

NEVADA.

16. IV.

Any bill may originate in either house of the Legislature, and all bills passed by one may be amended in the other.

NEW HAMPSHIRE.

18. II.

All money bills shall originate in the House of Representatives, but the Senate may propose or concur with amendments, as on other bills.

NEW JERSEY.

1. IV.

All bills for raising revenue shall originate in the House of Assembly, but the Senate may propose or concur with amendments, as on other bills.

NORTH DAKOTA.

57. II.

Any bill may originate in either house of the Legislative Assembly, and a bill passed by one house, may be amended by the other.

OHIO.

15. II.

Bills may originate in either house; but may be altered, amended or rejected in the other.

OREGON.

18. IV.

Bills may originate in either house, but may be amended or rejected in the other, except that bills for raising revenue shall originate in the House of Representatives

PENNSYLVANIA.

14. III.

All bills for raising revenue shall

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originate in the House of Representatives, but the Senate may oppose amendments, as in other bills.

SOUTH CAROLINA.

18. II.

Bills for raising a revenue shall originate in the House of Representatives, but may be altered, amended or rejected by the Senate; and all other bills may originate in either house, and may be amended, altered or rejected by the other.

SOUTH DAKOTA.

20. III.

Any bill may originate in either house of the Legislature, and a bill passed by one house may be amended in the other.

TENNESSEE.

17. II.

Bills may originate in either house; but may be amended, altered or rejected by the other. No bill shall become a law which embraces more than one subject, that subject to be expressed in the title. All acts which repeal, revive or amend former laws shall recite, in their caption or otherwise, the title or substance of the law repealed, revived or amended.

TEXAS.

31. III.

Bills may originate in either house, and when passed by such house may be amended, altered or rejected by the other.

33. III.

All bills for raising revenue shall originate in the House of Representatives, but the Senate may amend or reject them, as other bills.

VIRGINIA.

9. V.

Bills and resolutions may originate in either of the two houses

Bills May Originate in Either House.

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of the General Assembly, to be approved or rejected by either, and may be amended by either house, with the consent of the other.

WASHINGTON.**20. II.**

Any bill may originate in either house of the Legislature, and a bill passed by one house may be amended in the other.

WEST VIRGINIA.**28. VI.**

Bills and resolutions may originate in either house, but may be

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passed, amended or rejected by the other.

WISCONSIN.**19. IV.**

Any bill may originate in either house of the Legislature, and a bill passed by one house may be amended by the other.

WYOMING.**33. III.**

All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose amendments, as in case of other bills.

Enacting Clause of Bills.

ENACTING CLAUSE OF BILLS.

1 Sec. 14. The enacting clause of all bills shall be "The
 2 People of the State of New York, represented in Senate and
 3 Assembly, do enact as follows," and no law shall be enacted
 4 except by bill.

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ALABAMA.

2. IV.

The style of the laws of this State shall be: "Be it enacted by the General Assembly of Alabama." Each law shall contain but one subject, which shall be clearly expressed in its title, except general appropriation bills, general revenue bills, and bills adopting a code, digest or revision of statutes; and no law shall be revived, amended, or the provisions thereof extended or conferred, by reference to its title only; but so much thereof as is revised, amended, extended or conferred, shall be re-enacted and published at length.

19. IV.

No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through either house as to change its original purpose.

ARKANSAS.

19. V.

The style of the laws of the State of Arkansas shall be: "Be it enacted by the General Assembly of the State of Arkansas."

21. V.

No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through either house as to change its original purpose.

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COLORADO.

17. V.

No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through either house as to change its original purpose.

18. V.

The style of the laws of this State shall be: "Be it enacted by the General Assembly of the State of Colorado."

FLORIDA.

15. III.

The enacting clause of every law shall be as follows: "Be it enacted by the Legislature of the State of Florida."

IDAHO.

15. III.

No law shall be passed except by bill, nor shall any bill be put upon its final passage until the same, with the amendments thereto shall have been printed for the use of the members; nor shall any bill become a law unless the same shall have been read on three several days in each house previous to the final vote thereon: Provided, in case of urgency, two-thirds of the house where such bill may be pending may, upon a vote of the yeas and nays, dispense with this provision. On the final

Enacting Clause of Bills.

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passage of all bills they shall be read at length, section by section, and the vote shall be by yeas and nays upon each bill separately, and shall be entered upon the journal; and no bill shall become a law without the concurrence of a majority of the members present.

ILLINOIS.

11. V.

The style of the laws of this State shall be: "Be it enacted by the People of the State of Illinois, represented in the General Assembly."

KANSAS.

20. II.

The enacting clause of all laws shall be: "Be it enacted by the Legislature of the State of Kansas," and no law shall be enacted except by bill.

KENTUCKY.

62.

The style of the laws of this commonwealth shall be as follows: "Be it enacted by the General Assembly of the Commonwealth of Kentucky."

LOUISIANA.

20.

The style of the laws of this State shall be: "Be it enacted by the General Assembly of the State of Louisiana."

MARYLAND.

29. III.

The style of all laws of this State shall be: "Be it enacted by the General Assembly of Maryland;" and all laws shall be passed by original bill; and every law enacted by the General Assembly shall embrace but one subject, and that shall be described in its title; and no law, nor section of law, shall be revived or amended by reference to its title, or sec-

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tion only; nor shall any law be construed by reason of its title, to grant powers or confer rights which are not expressly contained in the body of the act; and it shall be the duty of the General Assembly, in amending any article or section of the code of laws of this State, to enact the same as the said article or section would read when amended. And whenever the General Assembly shall enact any public general law, not amendatory of any section or article in the said code, it shall be the duty of the General Assembly to enact the same, in articles and sections, in the same manner as the code is arranged, and to provide for the publication of all additions and alterations which may be made to the said code.

MASSACHUSETTS.

8. VI.

The enacting style, in making and passing all acts, statutes and laws shall be: "Be it enacted by the Senate and House of Representatives in General Court assembled, and by authority of the same."

MINNESOTA.

13. IV.

The style of all laws of this State shall be: "Be it enacted by the Legislature of the State of Minnesota." No law shall be passed unless voted for by a majority of all the members elected to each branch of the Legislature, and the vote entered upon the journal of each house.

MISSISSIPPI.

56. IV.

The style of the laws of the State shall be: "Be it enacted by the

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Legislature of the State of Mississippi."

60. IV.

No bill shall be so amended in its passage through either house as to change its original purpose, and no law shall be passed except by bill; but orders, votes and resolutions of both houses, affecting the prerogatives and duties thereof, or relating to adjournment, to amendments to the Constitution, to the investigation of public officers, and the like, shall not require the signature of the Governor; and such resolutions, orders and votes, may empower legislative committees to administer oaths, to send for persons and papers, and generally make legislative investigations effective.

MISSOURI.

24. IV.

The style of the laws of this State shall be: "Be it enacted by the General Assembly of the State of Missouri, as follows."

25. IV.

No law shall be passed except by bill, and no bill shall be so amended in its passage through either house as to change its original purpose.

MONTANA.

19. V.

No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through either house as to change its original purpose.

20.

The enacting clause of every law shall be as follows: "Be it enacted by the Legislative Assembly of the State of Montana."

NEBRASKA.

10. III.

The enacting clause of a law shall be: "Be it enacted by the Legis-

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islature of the State of Nebraska," and no law shall be enacted except by bill. No bill shall be passed unless by assent of a majority of all the members elected to each house of the Legislature. And the question upon the final passage shall be taken immediately upon its last reading, and the yeas and nays shall be entered upon the journal.

NEVADA.

23. IV.

The enacting clause of every law shall be as follows: "The People of the State of Nevada, represented in the Senate and Assembly, do enact as follows," and no law shall be enacted except by bill.

NEW HAMPSHIRE.

Art. 92. The enacting style, in making and passing acts, statutes and laws, shall be, "Be it enacted by the Senate and House of Representatives in General Court convened."

NEW JERSEY.

5. IV.

The laws of this State shall begin in the following style: "Be it enacted by the Senate and General Assembly of the State of New Jersey."

NORTH CAROLINA.

21. II.

The style of the acts shall be: "The General Assembly of North Carolina do enact."

NORTH DAKOTA.

58. II.

No law shall be passed except by a bill adopted by both houses, and no bill shall be so altered and amended, on its passage through either house, as to change its original purpose.

Enacting Clause of Bills.**Sec. Art.****59. II.**

The enacting clause of every law shall be as follows: "Be it enacted by the Legislative Assembly of the State of North Dakota."

OHIO.**18. II.**

The style of the laws of this State shall be, "Be it enacted by the General Assembly of the State of Ohio."

PENNSYLVANIA.**1. III.**

No law shall be passed except by bill, and no bill shall be altered, or amended, on its passage through either house, as to change its original purpose.

SOUTH CAROLINA.**19. II.**

The style of all laws shall be: "Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same."

TENNESSEE.**20. II.**

The style of the laws of this State shall be, "Be it enacted by the General Assembly of the State of Tennessee." No law of a general nature shall take effect until forty days after its passage, unless the same or the caption shall state that the public welfare requires that it should take effect sooner.

TEXAS.**29. III.**

The enacting clause of all laws shall be: "Be it enacted by the

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Legislature of the State of Texas."

30. III.

No law shall be passed except by bill, and no bill shall be so amended in its passage through either house as to change its original purpose.

VERMONT.**15. II.**

The style of the laws of this State in future to be passed, shall be: "It is hereby enacted by the General Assembly of the State of Vermont."

WASHINGTON.**18. II.**

The style of the laws of the State shall be: "Be it enacted by the Legislature of the State of Washington." And no law shall be enacted except by bill.

WISCONSIN.**17. IV.**

The style of the laws of the State shall be: "The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows," and no law shall be enacted except by bill.

WYOMING.**20. III.**

No law shall be passed except by bill, and no bill shall be so altered or amended on its passage through either house as to change its original purpose.

21. III.

The enacting clause of every law shall be as follows: "Be it enacted by the Legislature of the State of Wyoming."

ASSENT OF A MAJORITY OF ALL THE MEMBERS REQUIRED, ETC.

1 Sec. 15. No bill shall be passed or become a law unless
2 it shall have been printed and upon the desks of the mem-
3 bers, in its final form, at least three calendar legislative days
4 prior to its final passage, unless the Governor, or the acting
5 Governor, shall have certified to the necessity of its immediate
6 passage, under his hand and the seal of the State; nor shall
7 any bill be passed or become a law, except by the assent of a
8 majority of the members elected to each branch of the Legis-
9 lature; and upon the last reading of a bill, no amendment
10 thereof shall be allowed, and the question upon its final pas-
11 sage shall be taken immediately thereafter, and the yeas and
12 nays entered on the journal.

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ALABAMA.**22. IV.**

No amendments to bills by one house shall be concurred in by the other, except by a vote of a majority thereof, taken by yeas and nays, and the names of those voting for and against recorded upon the journals; and reports of committees of conference shall in like manner be adopted in each house.

COLORADO.**23. V.**

No amendment to any bill by one house shall be concurred in by the other, nor shall the report of any committee of conference be adopted in either house, ex-

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cept by a vote of a majority of the members elected thereto, taken by yeas and noes, and the names of those voting recorded upon the journal thereof.

GEORGIA.**7. III.**

Par. XXI. Whenever the Constitution requires a vote of two-thirds of either or both houses for the passage of an act or resolutions the yeas and nays on the passage thereof shall be entered on the journal.

Par. XIV. No bill shall become a law unless it shall receive a majority of the votes of all the members elected to each house of the General Assembly, and it

Assent of a Majority of all the Members, etc.

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shall, in every instance, so appear on the journal.

Par. VI. The yeas and nays on any question shall, at the desire of one-fifth of the members present, be entered on the journal.

IOWA.

17. III.

No bill shall be passed unless by the assent of a majority of all members elected to each branch of the General Assembly, and the question upon the final passage shall be taken immediately upon its last reading, and the yeas and nays entered on the journal.

KANSAS.

13. II.

A majority of all the members elected to each house, voting in the affirmative, shall be necessary to pass any bill or joint resolution.

KENTUCKY.

55.

No act, except general appropriation bills, shall become a law until ninety days after the adjournment of the session at which it was passed, except in cases of emergency, when, by the concurrence of a majority of the members elected to each house of the General Assembly, by a yea and nay vote entered upon their journals, an act may become a law when approved by the Governor; but the reasons for the emergency that justifies that action must be set out at length in the journal of each house.

LOUISIANA.

Art. 34. The ayes and nays on any question in either house shall, at the desire of one-fifth of the members elected, be entered on the journal.

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MARYLAND.

28. III.

No bill shall become a law unless it be passed in each house by a majority of the whole number of members elected, and on its final passage the yeas and nays be recorded; nor shall any resolution, requiring the action of both houses, be passed except in the same manner.

MICHIGAN.

19. IV.

Every bill and joint resolution shall be read three times in each house, before the final passage thereof. No bill or joint resolution shall become a law without the concurrence of a majority of all the members elected to each house. On the final passage of all bills the vote shall be by yeas and nays, and entered on the journal.

MISSISSIPPI.

62. IV.

No amendment to bills by one house shall be concurred in by the other, except by a vote of a majority thereof, taken by yeas and nays, and the names of those voting for and against recorded upon the journals; and reports of committees of conference shall in like manner be adopted in each house.

MISSOURI.

31. IV.

No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal, and a majority of the members elected to each house be recorded thereon as voting in its favor.

32. IV.

No amendment to bills by one house shall be concurred in by

Assent of a Majority of all the Members, etc.

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the other, except by a vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting for and against recorded upon the journal thereof; and reports of committees of conference shall be adopted in either house only by the vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting recorded upon the journal.

MONTANA.

24. V.

No bill shall become a law except by a vote of a majority of all the members present in each house, nor unless on its final passage the vote be taken by ayes and noes, and the names of those voting be entered on the journal.

NORTH CAROLINA.

26. II.

Upon motion made and seconded in either house by one-fifth of the members elected in each and nays upon any question shall be taken and entered upon the journals.

NORTH DAKOTA.

65. II.

No bill shall become a law except by a vote of a majority of all the members elect in each house, nor unless, on its final passage, the vote be taken by yeas and nays, and the names of those voting be entered on the journal.

OREGON.

25. IV.

A majority of all the members elected to each house shall be necessary to pass every bill or joint resolution; and all bills and joint resolutions so passed

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shall be signed by the presiding officers of the respective houses.

PENNSYLVANIA.

5. III.

No amendment to bills by one house shall be concurred in by the other, except by the vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting for and against recorded upon the journal thereof; and reports of committees of conference shall be adopted in either house only by the vote of a majority of the members elected thereto, taken by yeas and nays, and the names of those voting recorded on the journals.

WASHINGTON.

21. II.

The yeas and nays of the members of either house shall be entered on the journal, on the demand of one-sixth of the members present.

22. II.

No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded thereon as voting in its favor.

WEST VIRGINIA.

31. VI.

When a bill or joint resolution, passed by one house, shall be amended by the other, the question on agreeing to the bill, or joint resolution, as amended, shall be again voted on, by yeas and nays, in the house by which it was originally passed, and the result entered upon its journals; in all such cases, the af-

Assent of a Majority of all the Members, etc.

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firmative vote of a majority of all the members elected to each house shall be necessary.

32. VI.

Whenever the words, "a majority of the members elected to either house of the Legislature," or words of like import, are used in this Constitution, they shall be construed to mean a majority of the whole number of members to which each house is, at the time entitled, under the apportionment of representation, established by the provisions of this Constitution.

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WISCONSIN.

20. IV.

The yeas and nays of the members of either house, on any question, shall, at the request of one-sixth of those present, be entered on the journal.

WYOMING.

25. III.

No bill shall become a law except by a vote of a majority of all the members elected to each house, nor unless on its final passage the vote taken by ayes and noes, and the names of those voting be entered on the journal.

Restriction as to Private and Local Bills.

RESTRICTION AS TO PRIVATE AND LOCAL BILLS.

- 1 Sec. 16. No private or local bill, which may be passed
 2 by the Legislature, shall embrace more than one subject, and
 3 that shall be expressed in the title.

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CALIFORNIA.**24. III.**

Every act shall embrace but one subject, which subject shall be expressed in its title. But if any subject shall be embraced in an act which shall not be expressed in its title, such act shall be void only as to so much thereof as shall not be expressed in its title. No law shall be revised or amended by reference to its title; but in such case the act revised or section amended shall be re-enacted and published at length as revised or amended; and all laws of the State of California, and all official writings, and the executive, legislative and judicial proceedings, shall be conducted, preserved and published in no other than the English language.

16. III.**FLORIDA.**

Each law enacted in the Legislature shall embrace but one subject and matter properly connected therewith, which subject shall be briefly expressed in the title; and no law shall be amended or revised by reference to its title only; but in such case the act, as revised, or section, as amended, shall be re-enacted and published at length.

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GEORGIA.**7. III.**

Par. VIII. No law or ordinance shall pass which refers to more than one subject-matter, or contains matter different from what is expressed in the title thereof.

IDAHO.**16. III.**

Every act shall embrace but one subject and matters properly connected therewith, which subject shall be expressed in the title; but if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be embraced in the title.

INDIANA.**19. IV.**

Every act shall embrace but one subject, and matters properly connected therewith; which subject shall be expressed in the title. But if any subject shall be embraced in an act, which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be expressed in the title.

IOWA.**29. III.**

Every act shall embrace but one subject, and matters properly connected therewith; which sub-

Restriction as to Private and Local Bills.

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ject shall be expressed in the title. But if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be expressed in the title.

KANSAS.

16. II.

No bill shall contain more than one subject, which shall be clearly expressed in its title, and no law shall be revived or amended unless the new act contain the entire act revived, or the section or sections amended, and the section or sections so amended shall be repealed.

KENTUCKY.

51.

No law enacted by the General Assembly shall relate to more than one subject, and that shall be expressed in the title, and no law shall be revised, amended or the provisions thereof extended or conferred by reference to its title only, but so much thereof as is revised, amended extended or conferred shall be re-enacted and published at length.

LOUISIANA.

29.

Every law enacted by the General Assembly shall embrace but one subject, and that shall be expressed in the title.

MISSOURI.

28. IV.

No bill (except general appropriation bills, which may embrace the various subjects and accounts for and on account of which moneys are appropriated, and except bills passed under the third subdivision of section forty-four of this article) shall contain more than one subject,

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which shall be clearly expressed in its title.

MONTANA.

23. V.

No bill, except general appropriation bills, and bills for the codification and general revision of the laws, shall be passed containing more than one subject which shall be clearly expressed in its title; but if any subject shall be embraced in any act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be so expressed.

OREGON.

20. IV.

Every act shall embrace but one subject, and matters properly connected therewith; which subjects shall be expressed in the title. But if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be expressed in the title.

PENNSYLVANIA.

3. III.

No bill, except general appropriation bills, shall be passed containing more than one subject, which shall be clearly expressed in its title.

SOUTH CAROLINA.

20. II.

Every act or resolution having the force of law shall relate to but one subject, and that shall be expressed in the title.

SOUTH DAKOTA.

21. III.

No bill shall embrace more than one subject, which shall be expressed in its title.

Restriction as to Private and Local Bills.

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TEXAS.**35. III.**

No bill (except general appropriation bills, which may embrace the various subjects and accounts for and on account of which moneys are appropriated) shall contain more than one subject which shall be expressed in its title. But if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be so expressed.

18. IV. WISCONSIN.

No private or local bill, which may

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be passed by the Legislature, shall embrace more than one subject, and that shall be expressed in the title.

WYOMING.**24. III.**

No bill, except general appropriation bills, and bills for the codification and general revision of the laws, shall be passed containing more than one subject which shall be clearly expressed in its title; but if any subject is embraced in any act which is expressed in the title, such act shall be void only as to so much thereof as shall not be so expressed.

Existing Law Not to be Made Part of an Act, etc.

**EXISTING LAW NOT TO BE MADE A PART OF AN ACT EXCEPT
BY INSERTING IT THEREIN.**

1 Sec. 17. No act shall be passed which shall provide that
2 any existing law, or any part thereof, shall be made or deemed
3 a part of said act, or which shall enact that any existing law,
4 or part thereof, shall be applicable, except by inserting it in
5 such act.

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ARKANSAS.

23. V.

No law shall be revived, amended or the provisions thereon extended or conferred by reference to its title only; but so much thereof as is revived, amended, extended or conferred shall be re-enacted and published at length.

COLORADO.

24. V.

No law shall be revived or amended, or the provisions thereof extended or conferred by reference to its title only, but so much thereof as is revived, amended, extended or conferred, shall be re-enacted and published at length.

GEORGIA.

7. III.

Par. XVII. No law, or section of the code, shall be amended or repealed by mere reference to its title, or to the number of the section of the code, but the amending or repealing act shall distinctly describe the law to be amended or repealed, as well as the alteration to be made.

IDAHO.

18. XII.

No act shall be revised or amend-

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ed by mere reference to its title, but the section as amended shall be set forth and published at full length.

INDIANA.

21. IV.

No act shall ever be revised or amended by mere reference to its title; but the act revised, or section amended shall be set forth and published at full length.

LOUISIANA.

Art. 30. No law shall be revived or amended by reference to its title but in such cases the act revived or section as amended, shall be re-enacted and published at length.

MICHIGAN.

25. IV.

No law shall be revised, altered or amended, by reference to its title only; but the act revised, and the section or sections of the act altered or amended shall be re-enacted and published at length.

MISSISSIPPI.

61. IV.

No law shall be revised or amended by reference to its title only, but the section or sections as

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amended, or revived, shall be inserted at length.

MISSOURI**33. IV.**

No act shall be revived or re-enacted by mere reference to the title thereof, but the same shall be set forth at length, as if it were an original act.

34. IV.

No act shall be amended by providing that designated words thereof be stricken out, or that designated words be inserted, or that designated words be stricken out and others inserted in lieu thereof; but the words to be stricken out, or the words to be inserted, or the words to be stricken out and those inserted in lieu thereof, together with the act or section amended, shall be set forth in full as amended.

MONTANA.**25. V.**

No law shall be revised or amended, or the provisions thereof extended by reference to its title only, but so much thereof as is revised, amended or extended shall be re-enacted and published at length.

NEVADA.**17. IV.**

Each law enacted by the Legislature shall embrace but one subject and matter properly connected therewith, which subject shall be briefly expressed in the title; and no law shall be revised or amended by reference to its title only, but, in such case, the act as revised, or section as amended, shall be re-enacted and published at length.

NEW JERSEY.**17. III.**

To avoid improper influences

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which may result from intermixing in one and the same act such things as have no proper relation to each other, every law shall embrace but one object, and that shall be expressed in the title. No law shall be revived or amended by reference to its title only; but the act revived, or the section or sections amended, shall be inserted at length. No general law shall embrace any provision of a private, special or local character. No act shall be passed which shall provide that any existing law, or any part thereof, shall be made or deemed a part of the act, or which shall enact that any existing law, or any part thereof, shall be applicable, except by inserting it in such act.

NORTH DAKOTA.**64. II.**

No bill shall be revised or amended, or the provisions thereof extended or incorporated in any other bill by reference to its title only, but so much thereof as is revised, amended or extended or so incorporated, shall be re-enacted and published at length.

OREGON.**22. IV.**

No act shall ever be revised or amended by mere reference to its title, but the act revised or section amended, shall be set forth and published at full length.

PENNSYLVANIA.**6. III.**

No law shall be revived, amended, or the provisions thereof extended or conferred, by reference to its title only, but so much thereof as is revived, amended or extended or conferred shall be re-enacted and published at length.

Existing Law Not to be Made Part of an Act, etc.

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TEXAS.**86. III.**

No law shall be revived or amended by reference to its title; but in such case the act revived or the section or sections amended shall be re-enacted and published at length.

VIRGINIA.**15. V.**

No law shall embrace more than one object which shall be expressed in its title; nor shall any law be revived or amended with reference to its title, but the act revived or the section amended shall be re-enacted and published at length.

WASHINGTON.**37. II.**

No act shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length.

WEST VIRGINIA.**30. VI.**

No act hereafter passed, shall embrace more than one object, and

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that shall be expressed in the title. But if any object shall be embraced in an act which is not so expressed, the act shall be void only as to so much thereof as shall not be so expressed, and no law shall be revived or amended by reference to its title only, but the law revived or the section amended, shall be inserted at large, in the new act. And no act of the Legislature, except such as may be passed at the first session under this Constitution, shall take effect until the expiration of ninety days after its passage, unless the Legislature shall by a vote of two-thirds of the members elected to each house, taken by yeas and nays, otherwise direct.

WYOMING.**26. III.**

No law shall be revised or amended, or the provisions thereof extended by reference to its title only, but so much thereof as is revised, amended or extended, shall be re-enacted and published at length.

PRIVATE AND LOCAL BILLS NOT TO BE PASSED IN CERTAIN CASES.

1 Sec. 18. The Legislature shall not pass a private or
2 local bill in any of the following cases:

3 Changing the names of persons.

4 Laying out, opening, altering working or discontinuing
5 roads, highways or alleys, or for draining swamps or other
6 low lands.

7 Locating or changing county seats.

8 Providing for changes of venue in civil or criminal cases.

9 Incorporating villages.

10 Providing for election of members of boards of supervisors.

11 Selecting, drawing, summoning or impaneling grand or
12 petit jurors.

13 Regulating the rate of interest on money.

14 The opening and conducting of elections or designating
15 places of voting.

16 Creating, increasing or decreasing fees, percentage or allow-
17 ances of public officers, during the term for which said officers
18 are elected or appointed.

19 Granting to any corporation, association or individual the
20 right to lay down railroad tracks.

21 Granting to any private corporation, association or individ-
22 ual any exclusive privilege, immunity or franchise whatever.

23 Providing for building bridges, and chartering companies
24 for such purposes, except on the Hudson river below Water-
25 ford, and on the East river, or over the waters forming a part
26 of the boundaries of the State.

27 The Legislature shall pass general laws providing for the
28 cases enumerated in this section, and for all other cases which
29 in its judgment may be provided for by general laws. But no
30 law shall authorize the construction or operation of a street
31 railroad except upon the condition that the consent of the
32 owners of one-half in value of the property bounded on, and
33 the consent also of the local authorities having the control of,
34 that portion of a street or highway upon which it is proposed
35 to construct or operate such railroad be first obtained, or in
36 case the consent of such property owners cannot be obtained,
37 the Appellate Division of the Supreme Court, in the depart-
38 ment in which it is proposed to be constructed, may, upon
39 application, appoint three commissioners who shall determine,
40 after a hearing of all parties interested, whether such railroad
41 ought to be constructed or operated, and their determination,
42 confirmed by the court, may be taken in lieu of the consent
43 of the property owners.

Private and Local Bills Not to be Passed, etc.

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ALABAMA.**23. IV.**

No special or local law shall be enacted for the benefit of individuals or corporations in cases which are or can be provided for by a general law, or where the relief sought can be given by any court of this State; nor shall the operation of any general law be suspended by the General Assembly for the benefit of any individual, corporation or association.

24. IV.

No local or special law shall be passed, on a subject which can not be provided for by a general law, unless notice of the intention to apply therefor shall have been published in the locality where the matter or thing to be affected may be situated, which notice shall be at least twenty days prior to the introduction into the General Assembly of such bill, and the evidence of such notice having been given, shall be exhibited to the General Assembly, before such bill shall be passed: Provided, That the provisions of this Constitution, as to special or local laws, shall not apply to public or educational institutions of or in this State, nor to industrial, mining, immigration or manufacturing corporations or interests, or corporations for constructing canals, or improving navigable rivers or harbors of this State.

25. IV.

The General Assembly shall pass general laws, under which local and private interests shall be provided for and protected.

26. IV.

The power to change the venue, in civil and criminal causes, is vested in the courts, to be ex-

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ercised in such manner as shall be provided by law.

24. XIV.

No street passenger railway shall be constructed within the limits of any city or town, without the consent of its local authorities.

ARKANSAS.**24. V.**

The General Assembly shall not pass any local or special law changing the venue in criminal cases; changing the names of persons or adopting or legitimizing children; granting divorces; vacating roads, streets or alleys.

25. V.

In all cases where a general law can be made applicable no special law shall be enacted; nor shall the operation of any general law be suspended by the Legislature for the benefit of any particular individual, corporation or association; nor where the courts have jurisdiction to grant the powers or the privileges or the relief asked for.

26. V.

No local or special law shall be passed, unless notice of the intention to apply therefor shall have been published in the locality where the matter or the thing to be affected may be situated, which notice shall be, at least, thirty days prior to the introduction into the General Assembly of such bill, and in the manner to be provided by law. The evidence of such notice having been published shall be exhibited in the General Assembly before such act shall be passed.

2. XII.

The General Assembly shall pass no special act conferring cor-

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porate powers, except for charitable, educational, penal or reformatory purposes, where the corporations created are to be and remain under the patronage and control of the State.

8. XVII.

The General Assembly shall not remit the forfeiture of the charter of any corporation now existing, or alter or amend the same, or pass any general or special law for the benefit of such corporation, except on condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution.

CALIFORNIA.

25. IV.

The Legislature shall not pass local or special laws in any of the following enumerated cases, that is to say:

First. Regulating the jurisdiction and duties of Justices of the Peace, Police Judges and of Constables.

Second. For the punishment of crimes and misdemeanors.

Third. Regulating the practice of courts of justice.

Fourth. Providing for changing the venue in civil or criminal actions.

Fifth. Granting divorces.

Sixth. Changing the names of persons or places.

Seventh. Authorizing the laying out, opening, altering, maintaining or vacating roads, highways, streets, alleys, town plots, parks, cemeteries, graveyards, or public grounds not owned by the State.

Eighth. Summoning and impanelling grand and petit juries and providing for their compensation.

Ninth. Regulating county and township business, or the elec-

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tion of county and township officers.

Tenth. For the assessment or collection of taxes.

Eleventh. Providing for conducting elections, or designating the places of voting, except on the organization of new counties.

Twelfth. Affecting estates of deceased persons, minors or other persons under legal disabilities.

Thirteenth. Extending the time for the collection of taxes.

Fourteenth. Giving effect to invalid deeds, wills or other instruments.

Fifteenth. Refunding money paid into the State treasury.

Sixteenth. Releasing or extinguishing, in whole or in part, the indebtedness, liability or obligation of any corporation or person to this State, or to any municipal corporation therein.

Seventeenth. Declaring any person of age, or authorizing any minor to sell, lease or incumber his or her property.

Eighteenth. Legalizing, except as against the State, the unauthorized or invalid act of any officer.

Nineteenth. Granting to any corporation, association or individual any special or exclusive right, privilege or immunity.

Twentieth. Exempting property from taxation.

Twenty-first. Changing county seats.

Twenty-second. Restoring to citizenship persons convicted of infamous crimes.

Twenty-third. Regulating the rate of interest on money.

Twenty-fourth. Authorizing the creation, extension or impairing of liens.

Twenty-fifth. Chartering or licensing ferries, bridges or roads.

Twentieth-sixth. Remitting fines, penalties or forfeitures.

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Twenty-seventh. Providing for the management of common schools.

Twenty-eighth. Creating offices, or prescribing the powers and duties of officers in counties, cities, township, election or school districts.

Twenty-ninth. Affecting the fees or salary of any officer.

Thirtieth. Changing the law of descent or succession.

Thirty-first. Authorizing the adoption or legitimation of children.

Thirty-second. For limitation of civil or criminal actions.

Thirty-third. In all other cases where a general law can be made applicable.

13. XI.

The Legislature shall not delegate to any special commission, private corporation, company, association, or individual, any power to make, control, appropriate, supervise, or in any way interfere with any county, city, town or municipal improvement, money, property, or effects, whether held in trust or otherwise, or to levy taxes or assessments, or perform any municipal functions whatever.

7. XII.

The Legislature shall not extend any franchise or charter, nor remit the forfeiture of any franchise or charter, of any corporation now existing, or which shall hereafter exist, under the laws of this State.

COLORADO.

9. V.

No member of either house shall, during the term for which he may have been elected, receive any increase in salary, or mileage, under any law passed during such term.

25. V.

The General Assembly shall not

Sec. Art.

pass local or special laws in any of the following enumerated cases, that is to say: For granting divorces; laying out, opening, altering or working roads or highways; vacating roads, town plats, streets, alleys and public grounds; locating or changing county seats; regulating county or township affairs; regulating the practice in courts of justice; regulating the jurisdiction and duties of justices of the peace, police magistrates and constables; changing the rules of evidence in any trial or inquiry; providing for changes of venue in civil or criminal cases; declaring any person of age; for limitation of civil actions or giving effect to informal or invalid deeds; summoning or impaneling grand or petit juries; providing for the management of common schools; regulating the rate of interest on money; the opening or conducting of any election, or designating the place of voting; the sale or mortgage of real estate belonging to minors or others under disability; the protection of game or fish; chartering or licensing ferries or toll bridges; remitting fines, penalties or forfeitures; creating, increasing or decreasing fees, per centage or allowance of public officers; changing the law of descent; granting to any corporation, association or individual the right to lay down railroad tracks; granting to any corporation, association, or individual any special or exclusive privilege, immunity or franchise whatever. In all other cases, where a general law can be made applicable, no special law shall be enacted.

35. V.

The General Assembly shall not

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delegate to any special commission, private corporation or association, any power to make, supervise or interfere with any municipal improvement, money, property or effects, whether held in trust or otherwise, or to levy taxes, or to perform any municipal function whatever.

37. V.

The power to change the venue in civil and criminal cases shall be vested in the courts, to be exercised in such manner as shall be provided by law.

1. XV.

All existing charters or grants of special or exclusive privileges, under which the corporators or grantees shall not have organized and commenced business in good faith at the time of the adoption of this Constitution, shall thereafter have no validity.

2. XV.

No charter of incorporation shall be granted, extended, changed or amended by special law, except for such municipal, charitable, educational, penal or reformatory corporations as are or may be under the control of the State; but the General Assembly shall provide by general laws for the organization of corporations hereafter to be created.

11. XV.

No street railroad shall be constructed within any city, town, or incorporated village, without the consent of the local authorities having the control of the street or highway proposed to be occupied by such street railroad.

FLORIDA.

20. III.

The Legislature shall not pass special or local laws in any of

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the following enumerated cases, that is to say: Regulating the jurisdiction and duties of any class of officers, except municipal officers, or for the punishment of crime or misdemeanor; regulating the practice of courts of justice, except municipal courts; providing for changing venue of civil and criminal cases; granting divorces; changing the names of persons; vacating roads; summoning and impaneling grand and petit juries, and providing for their compensation; for assessment and collection of taxes for State and county purposes; for opening and conducting elections for State and county officers, and for designating the places of voting; for the sale of real estate belonging to minors, estates of decedents and of persons laboring under legal disabilities; regulating the fees of officers of the State and county; giving effect to informal or invalid deeds or wills; legitimizing children; providing for the adoption of children; relieving minors from legal disabilities; and for the establishment of ferries.

21. III.

In all cases enumerated in the preceding section all laws shall be general and of uniform operation throughout the State, but in all cases not enumerated or excepted in that section, the Legislature may pass special or local laws: Provided, That no local or special bill shall be passed, unless notice of the intention to apply therefor shall have been published in the locality where the matter or thing to be affected may be situated, which notice shall state the substance of the contemplated law, and shall be published at least sixty days prior to the intro-

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duction into the Legislature of such bill, and in the manner to be provided by law. The evidence that such notice has been published shall be established in the Legislature before such bill shall be passed.

3. I.

GEORGIA.

Par. III. No grant of special privileges or immunities shall be revoked, except in such manner as to work no injustice to the incorporator or creditors of the incorporation.

4. I.

Par. I. Laws of a general nature shall have uniform operation throughout the State, and no special law shall be enacted in any case for which provision has been made by an existing general law. No general law affecting private rights shall be varied in any particular case by special legislation, except with the free consent, in writing, of all persons affected thereby; and no person under legal disability to contract is capable of such consent.

7. III.

Par. XVI. No local or special bill shall be passed, unless notice of the intention to apply therefor shall have been published in the locality where the matter, or thing to be affected, may be situated, which notice shall be given at least thirty days prior to the introduction of such bill into the General Assembly, and in the manner to be prescribed by law. The evidence of such notice having been published shall be exhibited in the General Assembly, before such act shall be passed.

7. III.

Par. XX. The General Assembly shall not authorize the construc-

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tion of any street passenger railway within the limits of any incorporated town or city without the consent of the corporate authorities.

2. IV.

Par. III. The General Assembly shall not remit the forfeiture of any corporation now existing, nor alter or amend the same, nor pass any other general or special law for the benefit of said corporation, except upon the condition that said corporation shall thereafter hold its charter subject to the provisions of this Constitution; and every amendment of any charter of any corporation in this State, or any special law for its benefit, accepted thereby, shall operate as a novation of said charter and shall bring the same under the provisions of this Constitution: Provided, That this section shall not extend to any amendment for the purpose of allowing any existing road to take stock or aid in the building of any branch road.

17. VI.

Par. I. The power to change the venue in civil and criminal cases shall be vested in the Superior Courts, to be exercised in such manner as has been, or shall be, provided by law.

16. VII.

Par. I. The General Assembly shall not, by vote, resolution or order, grant any donation, or gratuity, in favor of any person, corporation or association.

IDAHO.

19. III.

The Legislature shall not pass local or special laws in any of the following enumerated cases, that is to say:
Regulating the jurisdiction and

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duties of justices of the peace and constables.
 For the punishment of crimes and misdemeanors.
 Regulating the practice of the courts of justice.
 Providing for a change of venue in civil and criminal actions.
 Granting divorces.
 Changing the names of persons or places.
 Authorizing the laying out, opening, altering, maintaining, working on, or excavating roads, highways, streets, alleys, town plats, parks, cemeteries or any public grounds not owned by the State.
 Summoning and impaneling grand and trial juries, and providing for their compensation.
 Regulating county and township business, or the election of county or township officers, or designating the places of voting.
 For the collection and assessment of taxes.
 Providing for and conducting elections, or designating of the place of voting.
 Affecting estates of deceased persons, minors or other persons under legal disabilities.
 Extending the time for the collection of taxes.
 Giving effect to invalid deeds, leases or other instruments.
 Refunding money paid into the State treasury.
 Releasing or extinguishing, in whole or in part, the indebtedness, liability or obligation of any person or corporation in this State, or any municipal corporation therein.
 Declaring any person of age, or authorizing any minor to sell, lease or incur his or her property.
 Legalizing as against the State the unauthorized or invalid act of any officer.

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Exempting property from taxation.
 Changing county seats; unless the law authorizing the change shall require that two-thirds of the legal votes cast at a general or special election shall designate the place to which the county seat shall be changed: Provided, that the power to pass a special law shall cease as long as the Legislature shall provide for such change by general law: Provided further that no special law shall be passed for any one county oftener than once in six years.
 Restoring to citizenship persons convicted of infamous crimes.
 Regulating the interest on money.
 Authorizing the creation, extension or repairing of liens.
 Chartering or licensing ferries, bridges or roads.
 Remitting fines, penalties or forfeitures.
 Providing for the management of common schools.
 Creating offices or prescribing the powers and duties of offices in counties, cities, townships, election districts, or school districts, except as in this Constitution provided.
 Changing the law of descent or succession.
 Authorizing the adoption or legitimation of children.
 For limitation of civil or criminal actions.
 Creating any corporation.
 Creating, increasing or decreasing fees, percentages or allowances of public officers during the term for which said officers are elected or appointed.

2. **XI.**
 No charter of incorporation shall be granted, extended, changed or amended by special law, except for such municipal, charitable, educational, penal or reformatory corporations as are

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or may be under the control of the State; but the Legislature shall provide by general law for the organization of corporations hereafter to be created: Provided, That any such general law shall be subject to future repeal or alteration by the Legislature.

11. XI.

No street, or other railroad, shall be constructed within any city, town, or incorporated village, without the consent of the local authorities having the control of the street or highway proposed to be occupied by such street or other railroad.

12. XI.

The Legislature shall pass no law for the benefit of a railroad, or other corporation, or any individual or association of individuals retroactive in its operation, or which imposes on the people of any county or municipal subdivision of the State, a new liability in respect to transactions or considerations already past.

ILLINOIS.

22. V.

The General Assembly shall not pass local or special laws in any of the following enumerated cases, that is to say, for—

Granting divorces;

Changing the names of persons or places;

Laying out, opening, altering and working roads or highways;

Vacating roads, town plats, streets, alleys and public grounds;

Locating or changing county seats;

Regulating county and township affairs;

Regulating the practice in courts of justice;

Regulating the jurisdiction and duties of justices of the peace,

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police magistrates and constables;

Providing for changes of venue in civil or criminal cases;

Incorporating cities, towns or villages or changing or amending the charter of any town, city or village;

Providing for the election of members of the board of supervisors in townships, incorporated towns or cities;

Summoning and impaneling grand and petit juries;

Providing for the management of common schools;

Regulating the rate of interest on money;

The opening and conducting of any election, or designating the place of voting;

The sale or mortgage of real estate belonging to minors or others under disability;

The protection of game or fish;

Chartering or licensing ferries or toll bridges;

Remitting fines, penalties or forfeitures;

Creating, increasing or decreasing fees, percentage or allowances of public officers, during the term for which said officers are elected or appointed.

Changing the law of descent;

Granting to any corporation, association, or individual, the right to lay down railroad tracks or amending existing charters for such purposes;

Granting to any corporation, association or individual any special or exclusive privilege, immunity or franchise whatever;

In all other cases where a general law can be made applicable, no special law shall be enacted.

4. XI.

No law shall be passed by the General Assembly granting the right to construct and operate a street railroad within any

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city, town or incorporated village, without requiring the consent of the local authorities having control of the street or highway proposed to be occupied by such street railroad.

INDIANA.

22. IV.

The General Assembly shall not pass local or special laws in any of the following enumerated cases, that is to say:

Regulating the jurisdiction and duties of justices of the peace and of constables;

For the punishment of crimes and misdemeanors;

Regulating the practice in courts of justice;

Providing for changing the venue in civil and criminal cases;

Granting divorces;

Changing the names of persons;

For laying out, opening and working on, highways, and for the election or appointment of supervisors;

Vacating roads, town plats, streets, alleys and public squares;

Summoning and impanelling grand and petit juries, and providing for their compensation;

Regulating county and township business;

Regulating the election of county and township officers, and their compensation;

For the assessment and collection of taxes for State, county, township or road purposes;

Providing for supporting common schools, and for the preservation of school funds;

In relation to fees or salaries; except that the laws may be so made as to grade the compensation of officers in proportion to the population and the necessary services required;

In relation to interest on money;

Providing for opening and con-

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ducting elections of State, county or township officers, and designating the places of voting;

Providing for the sale of real estate belonging to minors, or other persons laboring under legal disabilities, by executors, administrators, guardians or trustees.

IOWA.

30. III.

The General Assembly shall not pass local or special laws in the following cases:

For the assessment and collection of taxes for State, county or road purposes;

For the laying out, opening and working roads or highways;

For changing the names of persons;

For the incorporation of cities and towns;

For vacating roads, town plats, streets, alleys or public squares;

For locating or changing county seats.

In all the cases above enumerated, and in all other cases where a general law can be made applicable, all laws shall be general, and of uniform operation throughout the State; and no law changing the boundary lines of any county shall have effect until upon being submitted to the people of the counties affected by the change, at a general election, it shall be approved by a majority of the votes in each county, cast for and against it.

12. VIII.

Subject to the provisions of this article the General Assembly shall have power to amend or repeal all laws for the organization or creation of corporations, or granting of special or exclusive privileges or immunities, by a vote of two-thirds of each branch of the General Assembly;

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and no exclusive privileges, except as in this article provided, shall ever be granted.

KANSAS.**17. II.**

All laws of a general nature shall have a uniform operation throughout the State; and in all cases where a general law can be made applicable, no special law shall be enacted.

KENTUCKY.**59.**

The General Assembly shall not pass local or special acts concerning any of the following subjects, or for any of the following purposes, namely:

First—To regulate the jurisdiction, or the practice, or the circuits of courts of justice, or the rights, powers, duties or compensation of the officers thereof; but the practice in circuit courts in continuous session may, by a general law, be made different from the practices of circuit courts held in terms.

Second—To regulate the summoning, impaneling or compensation of grand or petit jurors.

Third—To provide for changes of venue in civil or criminal causes.

Fourth—To regulate the punishment of crimes and misdemeanors, or to remit fines, penalties or forfeitures.

Fifth—To regulate the limitation of civil or criminal causes.

Sixth—To affect the estate of cestui que trust, decedents, infants or other persons under disabilities, or to authorize any such persons to sell, lease, encumber or dispose of their property.

Seventh—To declare any person of age, or to relieve an infant or feme covert of disability, or to enable him to do acts allowed

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only to adults not under disabilities.

Eighth—To change the law of descent, distribution or succession.

Ninth—To authorize the adoption or legitimation of children.

Tenth—To grant divorces.

Eleventh—To change the name of persons.

Twelfth—To give effect to invalid deeds, wills or other instruments.

Thirteenth—To legalise, except as against the Commonwealth, the unauthorized or invalid act of any officer or public agent of the Commonwealth, or of any city, county or municipality thereof.

Fourteenth—To refund money legally paid into the State treasury.

Fifteenth—To authorize or to regulate the levy, the assessment or the collection of taxes, or to give any indulgence or discharge to any assessor or collector of taxes, or to his sureties.

Sixteenth—To authorize the opening, altering, maintaining or vacating roads, highways, streets, alleys, town plats, cemeteries, graveyards or public grounds not owned by the Commonwealth.

Seventeenth—To grant a charter to any corporation, or to amend the charter of any existing corporation; to license companies or persons to own or operate ferries, bridges, roads or turnpikes; to declare streams navigable, or to authorize the construction of booms or dams therein, or to remove obstructions therefrom; to affect toll-gates, or to regulate tolls; to regulate fencing, or the running at large of stock.

Eighteenth—To create, increase

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or decrease fees, percentages or allowances to public officers, or to extend the time for the collection thereof, or to authorize officers to appoint deputies.

Nineteenth—To give any person or corporation the right to lay a railroad track or tramway, or to amend existing charters for such purposes.

Twentieth—To provide for conducting elections, or for designating the places of voting, or changing the boundaries of wards, precincts or districts, except when new counties may be created.

Twenty-first—To regulate the rate of interest.

Twenty-second—To authorize the creation, extension, enforcement, impairment or release of liens.

Twenty-third—To provide for the protection of game and fish.

Twenty-fourth—To regulate labor, trade, mining or manufacturing.

Twenty-fifth—To provide for the management of common schools.

Twenty-sixth—To locate or change a county seat.

Twenty-seventh—To provide a means of taking the sense of the people of any city, town, district, precinct or county, whether they wish to authorize, regulate or prohibit therein the sale of vinous, spirituous or malt liquors, or alter the liquor laws.

Twenty-eighth—Restoring to citizenship persons convicted of infamous crimes.

Twenty-ninth—In all other cases where a general law can be made applicable, no special law shall be enacted.

Art. 60. The General Assembly shall not indirectly enact any special or local act by the repeal in part of a general act, or by exempt-

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ing from the operation of a general act any city, town, district or county; but laws repealing local or special acts may be enacted. No law shall be enacted granting powers or privileges in any case where the granting of such powers or privileges shall have been provided for by a general law, nor where the courts have jurisdiction to grant the same or to give the relief asked for. No law, except such as relates to the sale, loan or gift of vinous, spirituous or malt liquors, bridges, turnpikes, or other public roads, public buildings or improvements, fencing, running at large of stock, matters pertaining to common schools, paupers, and the regulation by counties, cities, towns or other municipalities of their local affairs, shall be enacted to take effect upon the approval of any other authority than the General Assembly, unless otherwise expressly provided in this Constitution.

Art. 163. No street railway, gas, water, steam heating, telephone, or electric light company, within a city or town, shall be permitted or authorized to construct its tracks, lay its pipes or mains, or erect its poles, posts or other apparatus along, over, under or across the streets, alleys or public grounds of a city or town, without the consent of the proper legislative bodies or boards of such city or town being first obtained; but when charters have been heretofore granted conferring such rights and work has in good faith been begun thereunder, the provisions of this section shall not apply.

191.

All existing charters or grants of special or exclusive privileges, under which a bona fide organization shall not have taken

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place, and business been commenced in good faith at the time of the adoption of this Constitution, shall thereafter be void and of no effect.

LOUISIANA.

Art. 7. The General Assembly shall not indirectly enact special or local laws, by the partial repeal of a general law; but laws repealing local or special laws may be passed.

Art. 158. The General Assembly shall provide by law for change of venue in civil and criminal cases.

46.

The General Assembly shall not pass any local or special law on the following specified objects:

For the opening and conducting of elections, or fixing or changing the place of voting.

Changing the name of persons.

Changing the venue in civil and criminal cases.

Authorizing the laying out, opening, closing, altering or maintaining roads, highways, streets or alleys, or relating to ferries and bridges, or incorporating bridge or ferry companies, except for the erection of bridges crossing streams which form boundaries between this and any other State.

Authorizing the adoption or legitimation of children or the emancipation of minors.

Granting divorces.

Changing the laws of descent or succession.

Affecting the estates of minors or persons under disabilities.

Remitting fines, penalties and forfeitures or refunding moneys legally paid into the treasury.

Authorizing the construction of street passenger railroads in any incorporated town or city.

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Regulating labor, trade, manufacturing or agriculture.

Creating corporations, or amending, renewing, extending or explaining the charter thereof: Provided; That this shall not apply to the corporation of the city of New Orleans, or to the organization of levee districts and parishes.

Granting to any corporation, association or individual any special or exclusive right, privilege or immunity.

Extending the time for the assessment or collection of taxes, or for the relief of any assessor or collector of taxes from the due performance of his official duties, or of his securities from liability; nor shall any such be passed by any political corporation of this State.

Regulating the practice or jurisdiction of any court or changing the rules of evidence in any judicial proceeding or inquiry before courts, or providing or changing methods for the collection of debts or the enforcement of judgments, or prescribing the effects of judicial sales.

Exemption of property from taxation.

Fixing the rate of interest.

Concerning any civil or criminal actions.

Giving effect to informal or invalid wills or deeds, or to any illegal disposition of property.

Regulating the management of public schools, the building or repairing of school houses and the raising of money for such purposes.

Legalizing the unauthorized or invalid acts of any officer, servant, agent of the State, or of any parish or municipality thereof.

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48.

No local or special law shall be passed on any subject not enumerated in article 46 of this Constitution, unless notice of the intention to apply therefor shall have been published, without cost to the State, in the locality where the matter or thing to be effected may be situated, which notice shall state the substance of the contemplated law, and shall be published at least thirty days prior to the introduction into the General Assembly of such bill, and in the same manner provided by law for the advertisement of judicial sales. The evidence of such notice having been published shall be exhibited in the General Assembly before such act shall be passed, and every such act shall contain a recital that such notice has been given.

Art. 205. The power to tax corporations and corporate property shall never be surrendered nor suspended by act of the General Assembly.

Art. 234. The General Assembly shall not remit the forfeiture of the charter of any corporation now existing, nor renew, alter or amend the same, nor pass any general or special law for the benefit of such corporation, except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution.

MAINE.

13. IV.

The Legislature shall, from time to time, provide, as far as practicable, by general laws, for all matters usually appertaining to special or private legislation.

MARYLAND.

33. III.

The General Assembly shall not

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pass local or special laws in any of the following enumerated cases, viz.: For extending the time for the collection of taxes; granting divorces; changing the name of any person; providing for the sale of real estate belonging to minors or other persons laboring under legal disabilities, by executors, administrators, guardians or trustees; giving effect to informal or invalid deeds or wills; refunding money paid into the State treasury, or releasing persons from their debts or obligations to the State, unless recommended by the Governor or officers of the State Treasury Department and the General Assembly shall pass no special law for any case for which provision has been made by any existing general law. The General Assembly, at its first session after the adoption of this Constitution, shall pass general laws providing for the cases enumerated in this section which are not already adequately provided for, and for all other cases where a general law can be made applicable.

MICHIGAN.

23. IV.

The Legislature shall not authorize, by private or special law, the sale or conveyance of any real estate belonging to any person; nor vacate nor alter any road laid out by commissioners of highway or any street in any city or village, or in any recorded town plat.

MINNESOTA.

33. IV.

The Legislature is prohibited from enacting any special or private laws in the following cases:

1st. For changing the name of a person, or constituting one person the heir-at-law of another.

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2d. For laying out, opening or altering highways.

3d. For authorizing persons to keep ferries across streams wholly within this State.

4th. For authorizing the sale or mortgage of real or personal property of minors or other persons under disability.

5th. For changing any county seat.

6th. For assessment or collection of taxes, or for extending the time for the collection thereof.

7th. For granting corporate powers or privileges, except to cities.

8th. For authorizing the apportionment of any part of the school fund.

9th. For incorporating any town or village.

10th. For granting to any individual, association or corporation, except municipal, any special or exclusive privilege, immunity or franchise whatever.

11th. For vacating roads, town plats, streets, alleys and public grounds.

But the Legislature may repeal any existing special law relating to the foregoing subdivision.

2. X.

No corporation shall be formed under special acts, except for municipal purposes.

MISSISSIPPI.

87. IV.

No special or local law shall be enacted for the benefit of individuals or corporations, in cases which are, or can be provided for by general law, or where the relief sought can be given by any court of this State; nor shall the operation of any general law be suspended by the Legislature for the benefit of any individual or private corporation or association, and in

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all cases where a general law can be made applicable, and would be made advantageous, no special law shall be enacted.

88. IV.

The Legislature shall pass general laws, under which local and private interests shall be provided for and protected, and under which cities and towns may be chartered and their charters amended, and under which corporations may be created, organized, and their acts of incorporation altered; and all such laws shall be subject to repeal or amendment.

89. IV.

There shall be appointed in each house of the Legislature a standing committee on local and private legislation; the house committee to consist of seven representatives, and the Senate committee, of five Senators. No local or private bill shall be passed by either house until it shall have been referred to said committee thereof, and shall have been reported back with a recommendation in writing that it do pass, stating affirmatively the reasons therefor, and why the end to be accomplished should not be reached by a general law, or by a proceeding in court; or if the recommendation of the committee be that the bill do not pass, then it shall not pass the house to which it is so reported unless it be voted for by a majority of all the members elected thereto. If a bill is passed in conformity to the requirements hereof, other than such as are prohibited in the next section, the courts shall not, because of its local, special or private nature, refuse to enforce it.

90. IV.

The Legislature shall not pass

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local, private or special laws in any of the following enumerated cases, but such matters shall be provided for only by general laws, viz.:

- (a) Granting divorces.
- (b) Changing the names of persons, places or corporations.
- (c) Providing for changes of venue in civil and criminal cases.
- (d) Regulating the rate of interest on money.
- (e) Concerning the settlement or administration of any estate, or the sale or mortgage of any property, of any infant, or of a person of unsound mind, or of any deceased person.
- (f) The removal of the disability of infancy.
- (g) Granting to any person, corporation or association the right to have any ferry, bridge, road or fish-trap.
- (h) Exemption of property from taxation, or from levy or sale.
- (i) Providing for the adoption or legitimation of children.
- (j) Changing the law of descent and distribution.
- (k) Exempting any person from jury, road, or other civil duty (and no person shall be exempted therefrom by force of any local or private law).
- (l) Laying out, opening, altering and working roads and highways.
- (m) Vacating any road or highway, town plat, street, alley or public grounds.
- (n) Selecting, drawing, summoning or empanelling grand or petit juries.
- (o) Creating, increasing, or decreasing the fees, salary or emoluments of any public officer.
- (p) Providing for the management or support of any private or common school, incorporating the same or granting such school any privileges.

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- (q) Relating to stock laws, water courses and fences.
- (r) Conferring the power to exercise the right of eminent domain, or granting to any person, corporation, or association the right to lay down railroad tracks, or street car tracks, in any other manner than that prescribed by general law.
- (s) Regulating the practice in courts of justice.
- (t) Providing for the creation of districts for the election of justices of the peace and constables.
- (u) Granting any lands under control of the State to any person or corporation.

100. IV.

No obligation or liability of any person, association, or incorporation held or owned by this State, or levee board, or any county, city, or town thereof, shall ever be remitted, released or postponed, or in any way diminished by the Legislature, nor shall such liability or obligation be extinguished except by payment thereof in to the proper treasury; nor shall such liability, or obligation be exchanged or transferred except upon payment of its face value; but this shall not be construed to prevent the Legislature from providing by general law for the compromise of doubtful claims.

MISSOURI.

51. IV.

The General Assembly shall have no power to release or extinguish, or authorize the releasing or extinguishing, in whole or in part, the indebtedness, liability or obligation of any corporation or individual to this State, or to any county or other municipal corporation therein.

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53. IV.

The General Assembly shall not pass any local or special law:

Authorizing the creation, extension or impairing of liens;

Regulating the affairs of counties, cities, townships, wards or school districts;

Changing the names of persons or places;

Changing the venue in civil or criminal cases;

Authorizing the laying out, opening, altering or maintaining roads, highways, streets or alleys;

Relating to ferries or bridges, or incorporating ferry or bridge companies, except for the erection of bridges crossing streams which form boundaries between this and any other State;

Vacating roads, town plats, streets or alleys;

Relating to cemeteries, graveyards or public grounds not of the State;

Authorizing the adoption or legitimization of children;

Locating or changing county seats;

Incorporating cities, towns or villages, or changing their charters;

For the opening and conducting of elections, or fixing or changing the places of voting;

Granting divorces;

Erecting new townships, or changing township lines, or the lines of school districts;

Creating offices, or prescribing the powers and duties of officers in counties, cities, townships, election or school districts;

Changing the law of descent or succession;

Regulating the practice or jurisdiction of or changing the rules of evidence in any judicial proceeding or inquiry before courts, justices of the peace, sheriffs, commissioners, arbitrators or other tribunals, or providing or

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changing methods for the collection of debts, or the enforcing of judgments, or prescribing the effect of judicial sales of real estate;

Regulating the fees or extending the powers and duties of aldermen, justices of the peace, magistrates or constables;

Regulating the management of public schools, the building or repairing of school houses, and the raising of money for such purposes;

Fixing the rate of interest;

Affecting the estates of minors or persons under disability;

Remitting fines, penalties and forfeitures, or refunding moneys legally paid into the treasury;

Exempting property from taxation;

Regulating labor, trade, mining or manufacturing;

Creating corporations, or amending, renewing, extending or explaining the charter thereof;

Granting to any corporation, association or individual any special or exclusive right, privilege or immunity, or to any corporation, association or individual the right to lay down a railroad track;

Declaring any named person of age;

Extending the time for the assessment or collection of taxes, or otherwise relieving any assessor or collector of taxes from the due performance of their official duties, or their securities from liability;

Giving effect to informal or invalid wills or deeds;

Summoning or impaneling grand or petit juries;

For limitation of civil actions;

Legalizing the unauthorized or invalid acts of any officer or agent of the State, or of any county or

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municipality thereof. In all other cases where a general law can be made applicable, no local or special law shall be enacted; and whether a general law could have been made applicable in any case is hereby declared a judicial question, and as such shall be judicially determined without regard to any legislative assertion on that subject;

Nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law; but laws repealing local or special acts may be passed.

54. IV.

No local or special law shall be passed unless notice of the intention to apply therefor shall have been published in the locality where the matter or thing to be affected may be situated, which notice shall state the substance of the contemplated law, and shall be published at least thirty days prior to the introduction into the General Assembly of such bill, and in the manner to be provided by law. The evidence of such notice having been published shall be exhibited in the General Assembly before such act shall be passed, and the notice shall be recited in the act according to its tenor.

2. X.

The power to tax corporations and corporate property shall not be surrendered or suspended by act of the General Assembly.

20. XII.

No law shall be passed by the General Assembly granting the right to construct and operate a street railroad within any city, town, village, or on any public highway, without first acquiring the consent of the local authori-

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ties having control of the street or highway proposed to be occupied by such street railroad; and the franchises so granted shall not be transferred without similar assent first obtained.

3. XVII.

The General Assembly shall not remit the forfeiture of the charter of any corporation now existing, or alter or amend such forfeited charter, or pass any other general or special laws for the benefit of such corporations.

MONTANA.

26. V.

The Legislative Assembly shall not pass local or special laws in any of the following enumerated cases, that is to say: For granting divorces; laying out, opening, altering or working roads or highways; vacating roads, town plats, streets, alleys or public grounds; locating or changing county seats; regulating county or township affairs; regulating the practice in courts of justice; regulating the jurisdiction and duties of justices of the peace, police magistrates or constables; changing the rules of evidence in any trial or inquiry; providing for changes of venue in civil or criminal cases; declaring any person of age; for limitation of civil actions, or giving effect to informal or invalid deeds; summoning or impaneling grand or petit jurors; providing for the management of common schools; regulating the rate of interest on money; the opening or conducting of any election or designating the place of voting; the sale or mortgage of real estate belonging to minors or others under disability; chartering or licensing ferries or bridges or toll roads; chartering banks, insurance companies and

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loan and trust companies; remitting fines, penalties or forfeitures; creating, increasing or decreasing fees, per centages or allowances of public officers; changing the law of descent; granting to any corporation, association or individual the right to lay down railroad tracks, or any special or exclusive privilege, immunity or franchise whatever; for the punishment of crimes; changing the names of persons or places; for the assessment or collection of taxes; affecting estates of deceased persons, minors or others under legal disabilities; extending the time for the collection of taxes; refunding money paid into the State treasury; relinquishing or extinguishing in whole or in part the indebtedness, liability or obligation of any corporation or person to this State, or to any municipal corporation therein; exempting property from taxation; restoring to citizenship persons convicted of infamous crimes; authorizing the creation, extension or impairing of liens; creating offices, or prescribing the powers or duties of officers in counties, cities, township or school districts; or authorizing the adoption or legitimation of children. In all other cases where a general law can be made applicable, no special law shall be enacted.

§1. V.

Except as otherwise provided in this Constitution, no law shall extend the term of any public officer, or increase or diminish his salary or emolument after his election or appointment: Provided, That this shall not be construed to forbid the Legislative Assembly from fixing the

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salaries or emoluments of those officers first elected or appointed under this Constitution, where such salaries or emoluments are not fixed by this Constitution.

2. XV.

No charter of incorporation shall be granted, extended, changed or amended by special law, except for such municipal, charitable, educational, penal, or reformatory corporations as are, or may be under the control of the State; but the Legislative Assembly shall provide by general law for the organization of corporations hereafter to be created: Provided, That any such laws shall be subject to future repeal or alterations by the Legislative Assembly.

12. XV.

No street or other railroad shall be constructed within any city or town without the consent of the local authorities having control of the street or highway proposed to be occupied by such street or other railroad.

17. XV.

The Legislative Assembly shall not pass any law permitting the leasing or alienation of any franchise so as to release or relieve the franchise or property held thereunder from any of the liabilities of the lessor or grantor, or lessee or grantee, contracted or incurred in the operation, use or enjoyment of such franchise, or any of its privileges.

2. XVI.

The Legislative Assembly shall have no power to remove the county seat of any county, but the same shall be provided for by general law; and no county seat shall be removed unless a majority of the qualified electors of the county, at a general elec-

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tion on a proposition to remove the county seat, shall vote therefor; but no such proposition shall be submitted oftener than once in four years.

NEBRASKA.**15. III.**

The Legislature shall not pass local or special laws in any of the following cases, that is to say:

For granting divorces.

Changing the names of persons or places.

Laying out, opening, altering and working roads and highways.

Vacating roads, town plats, streets, alleys and public grounds.

Locating or changing county seats.

Regulating county and township offices.

Regulating the practice of courts of justice.

Regulating the jurisdiction and duties of justices of the peace, police magistrates and constables.

Providing for changes of venue in civil and criminal cases.

Incorporating cities, towns and villages, or changing or amending the charter of any town, city or village.

Providing for the election of officers in townships, incorporated towns or cities.

Summoning or impaneling grand or petit juries.

Providing for the bounding of cities, towns, precincts, school districts or other municipalities.

Providing for the management of public schools.

Regulating the interest on money. The opening and conducting of any election, or designating the place of voting.

The sale or mortgage of real estate belonging to minors or others under disability.

The protection of game or fish.

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Chartering or licensing ferries or toll bridges.

Remitting fines, penalties or forfeitures.

Creating, increasing and decreasing fees, percentages and allowances of public officers during the term for which said officers are elected or appointed.

Changing the law of descent.

Granting to any corporation, association or individual the right to lay down railroad tracks, or amending existing charters for such purpose.

Granting to any corporation, association or individual any special or exclusive privileges, immunity or franchise whatever. In all other cases where a general law can be made applicable, no special law shall be enacted.

18. III.

Lands under the control of the State shall never be donated to railroad companies, private corporations or individuals.

2. XIII.

No such general law shall be passed by the Legislature granting the right to construct and operate a street railway within any city, town, or incorporated village without first requiring the consent of a majority of the electors thereof.

NEVADA.**20. IV.**

The Legislature shall not pass local or special laws in any of the following enumerated cases, that is to say: Regulating the jurisdiction and duties of the justices of the peace; for the punishment of crimes and misdemeanors; regulating the practice of courts of justice; providing for changing the venue in civil and criminal cases; granting divorces; changing the names of persons; vacating

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roads, town plats, streets, alleys and public squares; summoning and impaneling grand and petit juries, and providing for their compensation; regulating county and township business; regulating the election of county and township officers; for the assessing fees, percentages or allowance and collection of taxes for State, county and township purposes; providing for opening and conducting elections of State, county and township officers, and designating the places of voting; providing for the sale of real estate or personal property belonging to minors or other persons, under legal disabilities; giving effect to invalid deeds, wills or other instruments; refunding money paid into the State treasury, or into the treasury of any county; releasing the indebtedness, liability or obligation of any corporation, association or person to the State, or to any county, town or city of this State. But nothing in this section shall be construed to deny or restrict the power of the Legislature to establish and regulate the compensation and fees of county and township officers; to establish and regulate the rates of freight, passage, toll and charges of railroads, toll roads, ditch, flume and tunnel companies incorporated under the laws of this State or doing business therein.

88. III. NEW JERSEY.

The General Assembly shall not pass local or special laws in any of the following enumerated cases, viz.: For extending the time for the collection of taxes; granting divorces; changing the name of any person; providing for the sale of real estate be-

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longing to minors or other persons laboring under legal disabilities, by executors, administrators, guardians or trustees.

7. IV.

No private or special law shall be passed authorizing the sale of any lands belonging in whole or in part to a minor or minors, or other persons who may at any time be under any legal disability to act for themselves.

9. IV.

No private, special or local bill shall be passed unless public notice of the intention to apply therefor, and of the general object thereof, shall have been previously given. The Legislature, at the next session after the adoption thereof, and from time to time thereafter, shall prescribe the time and mode of giving such notice, the evidence thereof, and how such evidence shall be preserved.

11.

The Legislature shall not pass private, local or special laws in any of the following enumerated cases; that is to say:

Laying out, opening, altering and working roads or highways.

Vacating any road, town plot, street, alley or public grounds.

Regulating the internal affairs of towns, and counties; appointing local offices or commissions to regulate municipal affairs.

Selecting, drawing, summoning or impaneling grand or petit jurors.

Creating, increasing or decreasing the percentage or allowance of public officers during the term for which said officers were elected or appointed.

Changing the law of descent.

Granting to any corporation, association or individual any exclu-

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sive privilege immunity, or franchise whatever.

Granting to corporation, association or individual the right to lay down railroad tracks.

Providing for changes of venue in civil or criminal cases.

Providing for the management and support of free public schools.

The Legislature shall pass general laws providing for the cases enumerated in this paragraph, and for all other cases which, in its judgment, may be provided for by general laws. The Legislature shall pass no special act conferring corporate powers, but they shall pass general laws under which corporations may be organized and corporate powers of every nature obtained, subject, nevertheless, to repeal or alteration at the will of the Legislature.

NORTH CAROLINA.**11. II.**

The General Assembly shall not have power to pass any private law or alter the name of any person, or to legitimate any person not born in lawful wedlock, or to restore to the rights of citizenship any person convicted of an infamous crime, but shall have power to pass general laws regulating the same.

12. II.

The General Assembly shall not pass any private law, unless it shall be made to appear that thirty days notice of application to pass such law shall have been given, under such direction and in such manner as shall be provided by law.

NORTH DAKOTA.**69. II.**

The Legislative Assembly shall

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not pass local or special laws in any of the following enumerated cases, that is to say:

1. For granting divorces.
2. Laying out, opening, altering or working roads or highways, vacating roads, town plats, streets, alleys or public grounds.
3. Locating or changing county seats.
4. Regulating county or township affairs.
5. Regulating the practice of courts of justice.
6. Regulating the jurisdiction and duties of justices of the peace, police magistrates or constables.
7. Changing the rules of evidence in any trial or inquiry.
8. Providing for changes of venue in civil or criminal cases.
9. Declaring any person of age.
10. For limitation of civil actions, or giving effect to informal or invalid deeds.
11. Summoning or impaneling grand or petit juries.
12. Providing for the management of common schools.
13. Regulating the rate of interest on money.
14. The opening or conducting of any election or designating the place of voting.
15. The sale or mortgage of real estate belonging to minors or others under disability.
16. Chartering or licensing ferries, toll bridges or toll roads.
17. Remitting fines, penalties or forfeitures.
18. Creating, increasing or decreasing fees, percentages or allowances of public officers.
19. Changing the law of descent.
20. Granting to any corporation, association or individual the right to lay down railroad tracks or any special or exclusive privilege, immunity or franchise whatever.

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21. For the punishment of crimes.
22. Changing the names of persons or places.
23. For the assessment or collection of taxes.
24. Affecting the estates of deceased persons, minors or others under legal disabilities.
25. Extending the time for the collection of taxes.
26. Refunding money into the State treasury.
27. Relinquishing or extinguishing in whole or in part the indebtedness, liability or obligation of any corporation or person to this State, or to any municipal corporation therein.
28. Legalizing, except as against the State, the unauthorized or invalid act of any officer.
29. Exempting property from taxation.
30. Restoring to citizenship persons convicted of infamous crimes.
31. Authorizing the creation, extension or impairing of liens.
32. Creating offices, or prescribing the powers or duties of officers in counties, cities, townships, election of school districts, or authorizing the adoption or legitimization of children.
33. Incorporation of cities, towns or villages, or changing or amending the charter of any town, city or village.
34. Providing for the election of members of the board of supervisors in townships, incorporated towns or cities.
35. The protection of game or fish.

70. II.

In all other cases where a general law can be made applicable, no special law shall be enacted; nor shall any legislative assembly indirectly enact such special or local law by the partial repeal of a general law; but laws

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repealing local or special acts may be passed.

133. VII.

The Legislative Assembly shall not remit the forfeiture of the charter of any corporation now existing, nor alter or amend the same, nor pass any other general or special law for the benefit of such corporation, except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution.

139. VII.

No law shall be passed by the Legislative Assembly granting the right to construct and operate a street railroad, telegraph, telephone or electric light plant within any city, town or incorporated village, without requiring the consent of the local authorities having the control of the street or highway proposed to be occupied for such purposes.

169. X.

The Legislative Assembly shall provide by general law for changing county seats in organized counties, but it shall have no power to remove the the county seat of any organized county.

OHIO.

1. XIII.

The General Assembly shall pass no special act conferring corporate powers.

4. XIII.

The property of corporations now existing or hereafter created shall forever be subject to taxation, the same as the property of individuals.

OREGON.

20. I.

No law shall be passed granting to any citizen or class of citi-

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zens privileges or immunities which, upon the same terms, shall not equally belong to all citizens.

23. IV.

The Legislative Assembly shall not pass special or local laws in any of the following enumerated cases, that is to say:

1. Regulating the jurisdiction and duties of justices of the peace, and constables;
2. For the punishment of crimes and misdemeanors;
3. Regulating the practice in courts of justice.
4. Providing for changing the venue in civil and criminal cases;
5. Granting divorces;
6. Changing the names of persons;
7. For laying, opening and working on highways, and for the election or appointment of supervisors;
8. Vacating roads, town plats, streets, alleys and public squares;
9. Summoning and impaneling grand and petit jurors;

For the assessment and collection of taxes for State, county, township or road purposes;

11. Providing for supporting common schools, and for the preservation of school funds;
12. In relation to interest on money;
13. Providing for opening and conducting the elections of State, county or township officers, and designating the places of voting;
14. Providing for the sale of real estate belonging to minors or other persons laboring under legal disabilities by executors, administrators, guardians or trustees.

PENNSYLVANIA.

7. III.

The General Assembly shall not pass any local or special law.

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Authorizing the creation, extension and impairing of liens;

Regulating the affairs of counties, cities, townships, wards, boroughs or school districts;

Changing the names of persons or places;

Changing the venue in civil or criminal cases;

Authorizing the laying out, opening, altering or maintaining, alleys;

Relating to ferries or bridges, or incorporating ferry or bridge companies, except for the erection of bridges crossing streams which form boundaries between this and any other State;

Vacating roads, town plats, streets or alleys;

Relating to cemeteries, graveyards or public grounds not of the State;

Authorizing the adoption or legitimation of children;

Locating or changing county seats, erecting new counties or changing county lines;

Incorporating cities, towns or villages, or changing their charters;

For the opening and conducting of elections, or fixing or changing the place of voting;

Granting divorces;

Erecting new townships or boroughs, changing township lines, borough limits or school districts;

Creating offices, or prescribing the powers and duties of officers in counties, cities, boroughs, townships, election or school districts;

Changing the law of descent or succession;

Regulating the practice or jurisdiction of, or changing the rules of evidence in, any judicial proceeding or inquiry before courts, aldermen, justices of the peace, sheriffs, commissioners, arbitra-

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tors, auditors, masters in chancery or other tribunals, or providing or changing methods for the collection of debts, or the enforcing of judgments, or prescribing the effect of judicial sales of real estate;

Regulating the fees or extending the powers and duties of aldermen, justices of the peace, magistrates or constables;

Regulating the management of public schools, the building or repairing of school houses, and the raising of money for such purposes;

Fixing the rate of interest;

Affecting the estates of minors or persons under disability, except after due notice to all parties in interest, to be recited in the special enactment;

Remitting fines, penalties and forfeitures, or refunding moneys legally paid into the treasury;

Exempting property from taxation;

Regulating labor, trade, mining or manufacture;

Creating corporations, or amending, renewing or extending the charters thereof;

Granting to any corporation, association or individual any special or exclusive privilege or immunity, or to any corporation, association or individual the right to lay down a railroad track;

Nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law; but laws repealing local or special acts may be passed;

Nor shall any law be passed granting powers or privileges in any case where the granting of such powers and privileges shall have been provided for by general law, nor where the courts have jurisdiction to grant the same or give the relief asked for.

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8. III.

No local or special bill shall be passed unless notice of the intention to apply therefor shall have been published in the locality where the matter or the thing to be affected may be situated, which notice shall be at least thirty days prior to the introduction into the General Assembly of such bill and in the manner to be provided by law; the evidence of such notice having been published, shall be exhibited in the General Assembly, before such act shall be passed.

23. III.

The power to change the venue in civil and criminal cases shall be vested in the courts, to be exercised in such manner as shall be provided by law.

2. XVI.

The General Assembly shall not remit the forfeiture of the charter of any corporation now existing, or alter or amend the same, or pass any other general or special law for the benefit of such corporation except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution.

9. XVII.

No street passenger railway shall be constructed within the limits of any city, borough or township, without the consent of its local authorities.

SOUTH CAROLINA.

2. V.

It shall be the duty of the General Assembly to pass the necessary laws for the change of venue in all cases, civil and criminal, over which the circuit courts have original jurisdiction, upon a proper showing, supported by affidavit, that a fair and impartial trial cannot

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be had in the county where such trial or prosecution was commenced.

SOUTH DAKOTA.**23. III.**

The Legislature is prohibited from enacting any private or special laws in the following cases:

1. Granting divorces.
2. Changing the names of persons or places, or constituting one person the heir-at-law of another.
3. Locating of changing county seats.
4. Regulating county and township affairs.
5. Incorporating cities, towns and villages, or changing or amending the charter of any town, city or village, or laying out, opening, vacating or altering town plats, streets, wards, alleys and public ground.
6. Providing for sale or mortgage of real estate belonging to minors or others under disability.
7. Authorizing persons to keep ferries across streams wholly within the state.
8. Remitting fines, penalties or forfeitures.
9. Granting to an individual, association or corporation any special or exclusive privilege, immunity or franchise whatever.
10. Providing for the management of common schools.
11. Creating, increasing or decreasing fees, percentages or allowances of public officers during the term for which said officers are elected or appointed.

But the Legislature may repeal any existing special law relating to the foregoing subdivisions.

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In all other cases where a general law can be applicable, no special law shall be enacted.

24. III.

The Legislature shall have no power to release or extinguish in whole or in part, the indebtedness, liability or obligation of any corporation or individual to this State or to any municipal corporation therein.

26. III.

The Legislature shall not delegate to any special commission, private corporation, or association, any power to money, property, effects, whether held in trust or otherwise, or levy taxes, or to select a capital site, or to perform any municipal functions whatever.

18. VI.

No law shall be passed granting to any citizen, class of citizens or corporation, privileges or immunities which upon the same terms shall not equally belong to all citizens or corporations.

2. IX.

In counties already organized where the county seat has not been located by a majority vote, it shall be the duty of the county board to submit the location of the county seat to the electors of said county at a general election. The place receiving a majority of all votes cast at said election shall be the county seat of said county.

3. IX.

Whenever a majority of the legal voters of any organized county shall petition the county board to change the location of the county seat which has once been located by a majority vote, specifying the place to which it is to be changed, said county board shall submit the same to the people of said county at the

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next general election, and if the proposition to change the county seat be ratified by two-thirds of the votes cast at said election, then the county seat shall be changed, otherwise not. A proposition to change the location of the county seat of any organized county shall not again be submitted before the expiration of four years.

3. X.

No street passenger railway or telegraph or telephone lines shall be constructed within the limits of any village, town or city without the consent of its local authorities.

3. XVII.

The Legislature shall not remit the forfeiture of the charter of any corporation now existing nor alter or amend the same nor pass any other general or special law for the benefit of such corporation, except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution.

10. XVII.

No law shall be passed by the Legislature granting the right to construct and operate a street railroad within any city, town or incorporated village without requiring the consent of the local authorities having the control of the street or highway proposed to be occupied by said such street railroad.

TENNESSEE.

6. X.

The Legislature shall have no power to change the names of persons, or to pass acts adopting or legitimating persons, but shall, by general laws, confer this power on the courts.

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TEXAS.

45. III.

The power to change the venue in civil and criminal cases shall be vested in the courts, to be exercised in such manner as shall be provided by law; and the Legislature shall pass laws for that purpose.

55. III.

The Legislature shall have no power to release or extinguish, or to authorize the releasing or extinguishing, in whole or in part, the indebtedness, liability or obligation of any corporation or individual to this State, or to any county, or other municipal corporation therein.

56. III.

The Legislature shall not, except as otherwise provided in this Constitution, pass any local or special law, authorizing—

The creation, extension or impairing of liens;

Regulating the affairs of counties, cities, towns, wards or school districts;

Changing the names of persons or places;

Changing the venue in civil or criminal cases;

Authorizing the laying out, opening, altering or maintaining of roads, highways, streets or alleys;

Relating to ferries or bridges, or incorporating ferry or bridge companies, except for the erection of bridges crossing streams which form boundaries between this and any other State;

Vacating roads, town plats, streets or alleys;

Relating to cemeteries, graveyards or public grounds not of the State;

Authorizing the adoption or legitimating of children;

Locating or changing county seats;

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Incorporating cities, towns or villages, or changing their charters;
 For the opening and conducting of elections, or fixing or changing the places of voting;
 Granting divorces;
 Creating offices, or prescribing the powers and duties of officers in counties, cities, towns, election or school districts;
 Changing the law of descent or succession;
 Regulating the practice or jurisdiction of, or changing the rules of evidence in any judicial proceeding or inquiry before courts, justices of the peace, sheriffs, commissioners, arbitrators or other tribunals, or providing or changing methods for the collection of debts, or the enforcing of judgments, or prescribing the effect of judicial sales of real estate;
 Regulating the fees, or extending the powers and duties of aldermen, justices of the peace, magistrates or constables;
 Regulating the management of public schools, the building or repairing of school houses, and the raising of money for such purposes;
 Fixing the rate of interest;
 Affecting the estates of minors or persons under disability;
 Remitting fines, penalties and forfeitures, and refunding moneys legally paid into the treasury;
 Exempting property from taxation;
 Regulating labor, trade, mining and manufacturing;
 Declaring any named person of age;
 Extending the time for the assessment or collection of taxes, or otherwise relieving any assessor or collector of taxes from the due performance of his official

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duties, or his securities from liability;
 Giving effect to informal or invalid wills or deeds;
 Summoning or impaneling grand or petit juries;
 For limitation of civil or criminal actions;
 For incorporating railroads or other works of internal improvements;
 And in all other cases where a general law can be made applicable, no local or special law shall be enacted: Provided, That nothing herein contained shall be construed to prohibit the Legislature from passing special laws for the preservation of the game and fish of this State in certain localities.

57. III.

No local or special law shall be passed unless notice of the intention to apply therefor shall have been published in the locality where the matter or thing to be affected may be situated, which notice shall state the substance of the contemplated law, and shall be published at least thirty days prior to the introduction into the Legislature of such bill and in the manner to be provided by law. The evidence of such notice having been published shall be exhibited in the Legislature before such act shall be passed.

4. VIII.

The power to tax corporations and corporate property shall not be surrendered or suspended by act of the Legislature, by any contract or grant to which the State shall be a party.

7. X.

No law shall be passed by the Legislature granting the right to construct and operate a street railroad within any city,

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town or village, or upon any public highway, without first acquiring the consent of the local authorities having control of the street or highway proposed to be occupied by such street railroad.

6. XVI.

No appropriation for private or individual purposes shall be made. A regular statement under oath, and an account of the receipts and expenditures of all public money, shall be published annually, in such manner as shall be prescribed by law.

VIRGINIA.

20. V.

The General Assembly shall confer on the courts the power to grant divorces, change the names of persons, and direct the sale of estates belonging to infants and other persons under legal disability, but shall not, by special legislation, grant relief in such cases, or in any other case of which the courts or other tribunals may have jurisdiction.

WASHINGTON.

8. I.

No law granting irrevocably any privilege, franchise or immunity shall be passed by the Legislature.

28. II.

The Legislature is prohibited from enacting any private or special laws in the following cases:

1. For changing the names of persons, or constituting one person the heir-at-law of another.
2. For laying out, opening or altering highways, except in cases of State roads extending into more than one county, and military roads to aid in the construction of which lands shall have been or may be granted by Congress.

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3. For authorizing persons to keep ferries wholly within this State.

4. For authorizing the sale or mortgage of real or personal property of minors, or others under disability.

5. For assessment or collection of taxes or for extending the time for the collection thereof.

6. For granting corporate powers or privileges.

7. For authorizing the apportionment of any part of the school fund.

8. For incorporating any town or village, or to amend the charter thereof.

9. For giving effect to invalid deeds, wills or other instruments.

10. Releasing and extinguishing in whole, or in part, the indebtedness, liability or other obligation of any person or corporation to this State, or to any municipal corporation therein.

11. Declaring any person of age or authorizing any minor to sell, lease, or incur his or her property.

12. Legalizing, except as against the State, the unauthorized or invalid act of any officer.

13. Regulating the rates of interest on money.

14. Remitting fines, penalties or forfeitures.

15. Providing for the management of common schools.

16. Authorizing the adoption of children.

17. For limitation of civil or criminal actions.

18. Changing county lines, locating or changing county seats: Provided, This shall not be construed to apply to the creation of new counties.

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4. VII.

The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the State shall be a party.

3. XII.

The Legislature shall not extend any franchise or charter, nor remit the forfeiture of any franchise or charter of any corporation now existing, or which shall hereafter exist under the laws of this State.

WEST VIRGINIA.

69. VI.

The Legislature shall not pass special or local laws in any of the following enumerated cases, that is to say, for

Granting divorces;

Laying out, opening, altering and working roads or highways;

Vacating roads, town plats, streets, alleys and public grounds;

Locating or changing county seats;

Regulating or changing county or district affairs;

Providing for the sale of church property, or property held for charitable uses;

Regulating the practice in courts of justice;

Incorporating cities, towns or villages, or amending the charter of any city, town or village, containing a population of less than two thousand;

Summoning or impaneling grand or petit juries;

The opening or conducting of any election, or designating the place of voting;

The sale and mortgage of real estate belonging to minors, or others under disability;

Chartering, licensing or establishing ferries or toll bridges;

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Remitting fines, penalties or forfeitures;

Changing the law of descent;

Regulating the rate of interest;

Authorizing deeds to be made for land sold for taxes;

Releasing taxes;

Releasing title to forfeited lands.

The Legislature shall provide, by general laws, for the foregoing and all other cases for which provision can be so made; and in no case shall a special act be passed, where a general law would be proper, and can be made applicable to the case, nor in any other case in which the courts have jurisdiction, and are competent to give the relief asked for.

5. XI.

No law shall be passed by the Legislature, granting the right to construct and operate a street railroad within any city, town or incorporated village, without requiring the consent of the local authorities having the control of the street or highway, proposed to be occupied by such street railroad.

WISCONSIN.

31. IV.

The Legislature is prohibited from enacting any special or private laws in the following cases: 1st. For changing the name of persons or constituting one person the heir-at-law of another. 2. For laying out, opening or altering highways, except in cases of State roads extending into more than one county, and military roads to aid in the construction of which lands may be granted by Congress. 3d. For authorizing persons to keep ferries across streams, at points wholly within this State. 4th. For authorizing the sale or mortgage

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of real or personal property of minors or others under disability. 5th. For locating or changing any county seat. 6th. For assessment or collection of taxes or for extending the time for collection thereof. 7th. For granting corporate powers or privileges, except to cities. 8th. For authorizing the apportionment of any part of the school fund. 9th. For incorporating any city, town or village, or to amend the charter thereof.

WYOMING.

27. III.

The Legislature shall not pass local or special laws in any of the following enumerated cases, that is to say: For granting divorces; laying out, opening, altering or working roads or highways; vacating roads, town plats, streets, alleys or public grounds; locating or changing county seats; regulating county or township affairs; incorporation of cities, towns or villages, or changing or amending the charters of any cities, towns or villages; regulating the practice in courts of justice; regulating the jurisdiction and duties of justices of the peace, police magistrates or constables; changing the rules of evidence in any trial or inquiry; providing for change of venue in civil or criminal cases; declaring any person of age; for limitation of civil actions; giving effect to any informal or invalid deeds; summoning or impaneling grand or petit juries; providing for the management of common schools; regulating the rate of interest on money; the opening or conducting of any election or designating the place

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of voting; the sale or mortgage of real estate belonging to minors or others under disability; chartering or licensing ferries or bridge or toll roads; chartering banks, insurance companies and loan and trust companies; remitting fines, penalties or forfeitures; creating, increasing or decreasing fees, percentages or allowances of public officers; changing the law of descent; granting to any corporation, association or individual, the right to lay down railroad tracks or any exclusive or special privileges, immunity or franchise whatever, or amending existing charter for such purpose; for punishment of crimes; changing the names of persons or places; for the assessment or collection of taxes; affecting estates of deceased persons, minors or others under legal disabilities; extending the time or the collection of taxes; refunding money paid into the State Treasury; relinquishing or extinguishing, in whole or in part, the indebtedness, liabilities or obligations of any corporation or person to this State or to any municipal corporation therein; exempting property from taxation; restoring to citizenship persons convicted of infamous crimes; authorizing the creation, extension or impairing of liens; creating offices or prescribing the powers and duties of officers in counties, cities, townships or school districts; or authorizing the adoption or legitimation of children. In all cases where a general law can be made applicable no special law shall be enacted.

37. III.

The Legislature shall not dele-

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gate to any special commissioner, private corporation or association, any power to make, supervise or interfere with any municipal improvements, moneys, property or effects, whether held in trust or otherwise, to levy taxes, or to perform

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any municipal functions whatever.

4. XIII.

No street passenger railway, telegraph, telephone or electric light line shall be constructed within the limits of any municipal organization without the consent of its local authorities.

Private Claims not to be Audited.

PRIVATE CLAIMS NOT TO BE AUDITED.

- 1 Sec. 19. The Legislature shall neither audit nor allow
2 any private claim or account against the State, but may appro-
3 priate money to pay such claim as shall have been audited and
4 allowed according to law.

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any agreement or contract made without express authority of law, and all such unauthorized agreements or contracts shall be null and void.

31. IV. MICHIGAN.

The Legislature shall not audit nor allow any private claim or account.

SOUTH CAROLINA.**4. XIV.**

The General Assembly may direct by law in what manner claims against the State may be established and adjusted.

Sec. Art.**KENTUCKY.****19.**

The General Assembly shall neither audit nor allow any private claim against the Commonwealth, except for expenses incurred during the session at which the same was allowed; but may appropriate money to pay such claim as shall have been audited and allowed according to law.

162.

No county, city, town or other municipality shall ever be authorized or permitted to pay any claim created against it, under

TWO-THIRD BILLS.

- 1 Sec. 20. The assent of two-thirds of the members
 2 elected to each branch of the Legislature shall be requisite to
 3 every bill appropriating the public moneys or property for
 4 local or private purposes.

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ALABAMA.**34. IV.**

No appropriation shall be made to any charitable or educational institution not under the absolute control of the State, other than Normal schools, established by law for the professional training of teachers for the public schools of the State, except by a vote of two-thirds of all the members elected to each house.

MICHIGAN.**45. IV.**

The assent of two-thirds of the members elected to each house of the Legislature shall be requisite to every bill appropriating the public money or prop-

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erty for local or private purposes.

MISSISSIPPI.**66. IV.**

No law granting a donation, or gratuity, in favor of any person or object shall be enacted, except by the concurrence of two-thirds of each branch of the Legislature, nor by any vote for a sectarian purpose or use.

RHODE ISLAND.**14. IV.**

The assent of two-thirds of the members elected to each house of the General Assembly shall be required to every bill appropriating the public money or property for local or private purposes.

Appropriation Bills.

APPROPRIATION BILLS.

1 Sec. 21. No money shall ever be paid out of the treas-
2 ury of this State, or any of its funds, or any of the funds under
3 its management, except in pursuance of an appropriation by
4 law; nor unless such payment be made within two years next
5 after the passage of such appropriation act; and every such
6 law making a new appropriation, or continuing or reviving
7 an appropriation, shall distinctly specify the sum appropriated,
8 and the object to which it is to be applied; and it shall not be
9 sufficient for such law to refer to any other law to fix such
10 sum.

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ALABAMA.**32. IV.**

The general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, interest on the public debt, and for the public schools; all other appropriations shall be made by separate bills each embracing but one subject.

33. IV.

No money shall be paid out of the treasury except upon appropriations made by law, and on warrant drawn by the proper officer in pursuance thereof, and a regular statement and account of receipts and expenditures of all public moneys shall be published annually, in such manner as may be by law directed.

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ARKANSAS.**29. V.**

No money shall be drawn from the treasury except in pursuance of specific appropriation made by law, the purpose of which shall be distinctly stated in the bill, and the maximum amount which may be drawn shall be specified in dollars and cents; and no appropriation shall be for a longer period than two years.

30. V.

The general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State; all other appropriations shall be made by separate bills, each embracing but one subject.

Appropriation Bills.

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CALIFORNIA.**22. IV.**

No money shall be drawn from the treasury but in consequence of appropriations made by law, and upon warrants duly drawn thereon by the Controller; and no money shall ever be appropriated or drawn from the State treasury for the use or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a State institution, nor shall any grant or donation of property ever be made thereto by the State: Provided, That notwithstanding anything contained in this or any other section of this Constitution, the Legislature shall have the power to grant aid to institutions conducted for the support and maintenance of minor orphans, or half orphans, or abandoned children, or aged persons in indigent circumstances—such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions: Provided further, That the State shall have at any time the right to inquire into the management of such institution: Provided further, That whenever any county, or city and county, or city, or town shall provide for the support of minor orphans, or half orphans, or abandoned children, or aged persons in indigent circumstances, such county, city and county, city or town shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church or other control. An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at

Sec. Art.

every regular session of the Legislature.

29. IV.

The general appropriation bill shall contain no item or items of appropriation other than such as are required to pay the salaries of the State officers, the expenses of the government, and of the institutions under the exclusive control and management of the State.

34. IV.

No bill making an appropriation of money, except the general appropriation bill, shall contain more than one item of appropriation, and that for one single and certain purpose, to be therein expressed.

COLORADO.**21. V.**

No bill, except general appropriation bills, shall be passed containing more than one subject, which shall be clearly expressed in its title; but if any subject shall be embraced in any act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be so expressed.

32. V.

The general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, interest on the public debt, and for public schools. All other appropriations shall be made by separate bills, each embracing but one subject.

33. V.

No money shall be paid out of the treasury except upon appropriations made by law, and on warrants drawn by the

Appropriation Bills.

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proper officer in pursuance thereof.

DELAWARE.**15. II.**

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published at least once in every two years.

30. III. FLORIDA.

Laws making appropriations for the salaries of public officers and other current expenses of the State shall contain provisions on no other subject.

4. IX.

No money shall be drawn from the treasury except in pursuance of appropriations made by law.

GEORGIA.**7. III.**

Par. IX. The general appropriation bill shall embrace nothing except appropriations fixed by previous laws, the ordinary expenses of the executive, legislative and judicial departments of the government, payment of the public debt and interest thereon, and the support of the public institutions and educational interests of the State. All other appropriations shall be made by separate bills, each embracing but one subject.

7. III.

Par. XI. No money shall be drawn from the treasury except by appropriation made by law, and a regular statement and account of the receipt and expenditure of all public money shall be published every three

Sec. Art.

months, and also with the laws passed by each session of the General Assembly.

IDAHO.**13. VII.**

No money shall be drawn from the treasury but in pursuance of appropriations made by law.

14. VII.

No money shall be drawn from the county treasuries except upon the warrant of a duly authorized officer, in such manner and form as shall be prescribed by the Legislature.

ILLINOIS.**16. V.**

The General Assembly shall make no appropriation of money out of the treasury in any private law. Bills making appropriations for the pay of members and officers of the General Assembly, and for the salaries of the officers of the government shall contain no provision on any other subject.

17. V.

No money shall be drawn from the treasury except in pursuance of an appropriation made by law, and on the presentation of a warrant issued by the auditor thereon; and no money shall be diverted from any appropriation made for any purpose, or taken from any fund whatever, either by joint or separate resolution. The auditor shall, within sixty days after the adjournment of each session of the General Assembly, prepare and publish a full statement of all money expended at such session, specifying the amount of each item, and to whom and for what paid.

INDIANA.**3. X.**

No money shall be drawn from the

Appropriation Bills.

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treasury but in pursuance of appropriations made by law.

IOWA.**24. III.**

No money shall be drawn from the treasury but in consequence of appropriations made by law.

KANSAS.**24. II.**

No money shall be drawn from the treasury, except in pursuance of a specific appropriation made by law, and no appropriation shall be for a longer term than two years.

KENTUCKY.**230.**

No money shall be drawn from the State treasury, except in pursuance of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published annually.

LOUISIANA.

Art. 43. No money shall be drawn from the treasury except in pursuance of specific appropriation made by law; nor shall any appropriation of money be made for a longer term than two years. A regular statement and account of receipts and expenditures of all public moneys shall be published every three months, in such manner as shall be prescribed by law.

Art. 53. The general appropriation bill shall embrace nothing but appropriations for the ordinary expenses of the government, interest on the public debt, public schools and public charities, and such bill shall be so itemized as to show for what account each and every

Sec. Art.

appropriation shall be made. All other appropriations shall be made by separate bills, each embracing but one object.

Art. 54. Each appropriation shall be for a specific purpose, and no appropriation shall be made under the head or title of contingent; nor shall any officer or department of government receive any amount from the treasury for contingencies or for a contingent fund.

MAINE.**4. V.**

No money shall be drawn from the treasury, but by warrant from the Governor and Council, and in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published at the commencement of the annual session of the Legislature.

MARYLAND.**32. III.**

No money shall be drawn from the treasury of the State by any order or resolution, nor except in accordance with an appropriation by law, and every such law shall distinctly specify the sum appropriated and the object to which it shall be applied; Provided that nothing herein contained shall prevent the General Assembly from placing a contingent fund at the disposal of the executive, who shall report to the General Assembly at each session the amount expended and the purposes to which it was applied. An accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws after each

Appropriation Bills.

Sec. Art.

regular session of the General Assembly.

MASSACHUSETTS.

1.

XI. No moneys shall be issued out of the treasury of this Commonwealth, and disposed of (except such sums as may be appropriated for the redemption of bills of credit or treasurer's notes, or for the payment of interest arising thereon) but by warrant under the hand of the Governor for the time being, with the advice and consent of the Council, for the necessary defense and support of the Commonwealth; and for the protection and preservation of the inhabitants thereof, agreeably to the acts and resolves of the General Court.

MICHIGAN.5. **XIV.**

No money shall be paid out of the treasury except in pursuance of appropriations made by law.

MINNESOTA.9. **IX.**

No money shall ever be paid out of the treasury of this State except in pursuance of an appropriation by law.

6. **XI.**

No money shall be drawn from any county or township treasury except by authority of law.

MISSISSIPPI.63. **IV.**

No appropriation bill shall be passed by the Legislature which does not fix definitely the maximum sum thereby authorized to be drawn from the treasury.

64. **IV.**

No bill passed after the adoption

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of this Constitution to make appropriations of money out of the State treasury shall continue in force more than six months after the meeting of the Legislature at its next regular session; nor shall such bill be passed except by the votes of a majority of all the members elected to each house of the Legislature.

68. **IV.**

Appropriation and revenue bills shall, at regular sessions of the Legislature, have precedence in both houses over all other business, and no such bills shall be passed during the last five days of the session.

MISSOURI.43. **IV.**

All revenue collected and moneys received by the State from any source whatsoever shall go into the treasury, and the General Assembly shall have no power to divert the same, or to permit money to be drawn from the treasury, except in pursuance of regular appropriations made by law. All appropriations of money by the successive General Assemblies shall be made in the following order:

First—For the payment of all interest upon the bonded debt of the State that may become due during the term for which each General Assembly is elected.

Second—For the benefit of the sinking fund, which shall not be less annually than two hundred and fifty thousand dollars.

Third—For free public school purposes.

Fourth—For the payment of the cost of assessing and collecting the revenue.

[Appropriation Bills.]

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Fifth—For the payment of the civil list.

Sixth—For the support of the eleemosynary institutions of the State.

Seventh—For the pay of the General Assembly, and such other purposes, not herein prohibited, as it may deem necessary; but no General Assembly shall have power to make any appropriation of money for any purpose whatsoever until the respective sums necessary for the purposes in this section specified have been set apart and appropriated, or to give priority in its action to a succeeding over a preceding item as above enumerated.

19. X.

No moneys shall ever be paid out of the treasury of this State, or any of the funds under its management, except in pursuance of an appropriation by law, nor unless such payment be made, or a warrant shall have issued therefor, within two years after the passage of such appropriation act; and every such law making a new appropriation, or continuing or reviving an appropriation shall distinctly specify the sum appropriated and the object to which it is to be applied; and it shall not be sufficient to refer to any other law to fix such sum or object. A regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

MONTANA.**33. V.**

The general appropriation bills shall embrace nothing but appropriations for the ordinary

Sec. Art.

expenses of the legislative, executive and judicial departments of the State, interest on the public debt and for public schools. All other appropriations shall be made by separate bills, each embracing but one subject.

34. V.

No money shall be paid out of the treasury except upon appropriations made by law and on warrant drawn by the proper officer in pursuance thereof, except interest on the public debt.

10. XII.

All taxes levied for State purposes shall be paid into the State treasury, and no money shall be drawn from the treasury but in pursuance of specific appropriations made by law.

NEBRASKA.**22. III.**

No allowance shall be made for the incidental expenses of any State officer, except the same be made by general appropriation and upon an account specifying each item. No money shall be drawn from the treasury except in pursuance of a specific appropriation made by law, and on the presentation of a warrant issued by the auditor thereon, and no money shall be diverted from any appropriation made for any purpose, or taken from any fund whatever, either by joint or separate resolution. The auditor shall, within sixty days after the adjournment of each session of the Legislature, prepare and publish a full statement of all moneys expended at such session, specifying the amount of each item, and to whom and for what paid.

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NEVADA.**19. IV.**

No money shall be drawn from the treasury but in consequence of appropriations made by law. An accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws at every regular session of the Legislature.

28. IV.

No money shall be drawn from the State treasury as salary or compensation to any officer or employe of the Legislature, or either branch thereof, except in cases where such salary or compensation has been fixed by law in force prior to the election or appointment of such officer or employe, and the salary or compensation so fixed shall neither be increased or diminished so as to apply to any officer or employe of the Legislature, or either branch thereof, at such session: Provided, That this restriction shall not apply to the first session of the Legislature.

NEW HAMPSHIRE.

Art. 56. No moneys shall be issued out of the treasury of this State and disposed of (except such sums as may be appropriated for the redemption of bills of credit or treasurer's notes, or for the payment of interest arising thereon) but by warrant under the hand of the Governor for the time being, by and with the advice and consent of the council, for the necessary support and defense of this State, and for the necessary protection and preservation of the inhabitants thereof, agreeably to the acts and resolves of the General Court.

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NEW JERSEY.**2. IV.**

No money shall be drawn from the treasury but for appropriations made by law.

NORTH DAKOTA.**60. II.**

No bill for the appropriation of money, except for the expenses of the government shall be introduced after the fortieth day of the session, except by unanimous consent of the house in which it is sought to be introduced.

62. II.

The general appropriation bill shall embrace nothing but appropriations for the expenses of the executive, legislative and judicial departments of the State interest on the public debt, and for public schools. All other appropriations shall be made by separate bills, each embracing but one subject.

186. XII.

No money shall be paid out of the State treasury except upon appropriation by law and on warrant drawn by the proper officer, and no bills, claims, accounts or demands against the State, or any county or other political subdivision, shall be audited, allowed or paid until a full itemized statement in writing shall be filed with the officer or officers whose duty it may be to audit the same.

OHIO.**22. II.**

No money shall be drawn from the treasury except in pursuance of a specific appropriation, made by law; and no appropriation shall be made for a longer period than two years.

5. X.

No money shall be drawn from

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any county or township treasury except by authority of law.

OREGON.**4. IX.**

No money shall be drawn from the treasury but in pursuance of appropriations made by law.

7. IX.

Laws making appropriations for the salaries of public officers and other current expenses of the State, shall contain provisions upon no other subject.

PENNSYLVANIA.**16. III.**

No money shall be paid out of the treasury, except upon appropriations made by law, and on warrants drawn by the proper officer in pursuance thereof.

SOUTH CAROLINA.**22. II.**

No money shall be drawn from the treasury but in pursuance of an appropriation made by law; and a regular statement and account of the receipts and expenditures of all public moneys shall be published annually, in such manner as may be by law directed.

12. IX.

No money shall be drawn from the treasury but in pursuance of appropriations made by law.

SOUTH DAKOTA.**9. XI.**

All taxes levied and collected for State purposes shall be paid into the State treasury. No indebtedness shall be incurred or money expended by the State, and no warrant shall be drawn upon the State Treasurer except in pursuance of an appropriation for a specific purpose first made. The Legisla-

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ture shall provide by suitable enactment for carrying this section into effect.

1. XII.

No money shall be paid out of the treasury except upon appropriation by law and on warrant drawn by the proper officer.

2. XII.

The general appropriation bill shall embrace nothing but appropriations for ordinary expenses of the executive, legislative and judicial departments of the State, the current expenses of State institutions, interest on public debt, and for common schools. All other appropriations shall be made by separate bills, each embracing but one object, and shall require a two-thirds vote of all the members of each branch of the Legislature.

TENNESSEE.**24. II.**

No money shall be drawn from the treasury but in consequence of appropriations made by law; and an accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws at the rise of each stated session of the General Assembly.

TEXAS.**6. VIII.**

No money shall be drawn from the treasury but in pursuance of specific appropriations made by law; nor shall any appropriation of money be made for a longer term than two years, except by the first Legislature to assemble under this Constitution, which may make the necessary appropriations to carry on the govern-

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ment until the assemblage of the sixteenth Legislature.

56. XVI.

The Legislature shall have no power to appropriate any of the public money for the establishment and maintenance of a bureau of immigration to this State.

VERMONT.**17.**

No money shall be drawn out of the treasury unless first appropriated by act of legislation.

VIRGINIA.**10. X.**

No money shall be paid out of the State treasury except in pursuance of appropriations made by law; and no appropriation shall ever be made for the payment of any debt or obligation created in the name of the State of Virginia by the usurped and pretended State authorities assembled at Richmond during the late war; and no county, city or corporation shall levy or collect any tax created for the purpose of aiding any rebellion against the State or against the United States.

WASHINGTON.**4. VIII.**

No moneys shall ever be paid out of the treasury of this State, or any of its funds or any of the funds under its management, except in pursuance of an appropriation by law; nor unless such payment be made within two years from the first day of May next after the passage of such appropriation act, and every such law making a new appropriation, or continuing or reviving an appropriation, shall distinctly specify the sum appropriated, and the object to which it is

Sec. Art.

to be applied, and it shall not be sufficient for such law to refer to any other law to fix such sum.

WEST VIRGINIA.**10. III.**

No money shall be drawn from the treasury but in pursuance of an appropriation made by law and on a warrant issued thereon by the Auditor; nor shall any money or fund be taken for any other purpose than that for which it has been or may be appropriated or provided. A complete and detailed statement of the receipts and expenditures of the public moneys shall be published annually.

WISCONSIN.**2. VIII.**

No money shall be paid out of the treasury except in pursuance of an appropriation by law.

2.

No money shall be paid out of the treasury except in pursuance of an appropriation by law. No appropriation shall be made for the payment of any claim against the State, except claims of the United States and judgments, unless filed within six years after the claim accrued.

WYOMING.**22. III.**

No bill for the appropriation of money, except for the expenses of the government, shall be introduced within five (5) days of the close of the session, except by unanimous consent of the house in which it is sought to be introduced.

34. III.

The general appropriation bills shall embrace nothing but appropriations for the ordinary expenses of the legislative, executive and judicial depart-

Appropriation Bills.

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ments of the State, interest on the public debt, and for public schools. All other appropriations shall be made by separate bills each embracing but one subject.

35. III.

Except for interest on public debt, money shall be paid out of the treasury only on appropriations made by the Legislature, and in no case otherwise than upon warrant drawn by the proper officer in pursuance of law.

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7. XVI.

No money shall be paid out of the State treasury except upon appropriation by law and on warrant drawn by the proper officer, and no bills, claims, accounts or demands against the State, or any county or political subdivision, shall be audited, allowed or paid until a full itemized statement in writing, verified by affidavit, shall be filed with the officer or officers whose duty it may be to audit the same.

Bill Imposing a Tax, Manner of Passing.

BILL IMPOSING A TAX, MANNER OF PASSING.

1 Sec. 22. No provision or enactment shall be embraced
2 in the annual appropriation or supply bill, unless it relates
3 specifically to some particular appropriation in the bill; and
4 any such provision or enactment shall be limited in its opera-
5 tion to such appropriation.

1 Sec. 23. Sections seventeen and eighteen of this article
2 shall not apply to any bill, or the amendments to any bill,
3 which shall be reported to the Legislature by commissioners
4 who have been appointed pursuant to law to revise the
5 statutes.

1 Sec. 24. Every law which imposes, continues or revives
2 a tax shall distinctly state the tax and the objects to which it
3 is to be applied, and it shall not be sufficient to refer to any
4 other law to fix such tax or object.

1 Sec. 25. On the final passage, in either house of the
2 Legislature, of any act which imposes, continues or revives
3 a tax, or creates a debt or charge, or makes, continues or
4 revives any appropriation of public or trust money or property,
5 releases, discharges or commutes any claim or demand of
6 the State, the question shall be taken by yeas and nays, which
7 shall be duly entered upon the journals, and three-fifths of all
8 the members elected to either house shall in all such cases, be
9 necessary to constitute a quorum therein.

Bill Imposing a Tax, Manner of Passing.

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KANSAS.**4. XI.**

No tax shall be levied except in pursuance of a law, which shall distinctly state the object of the same; to which object only such tax shall be applied.

MICHIGAN.**14. XIV.**

Every law which imposes, continues or revives a tax, shall distinctly state the tax, and the object to which it is to be applied, and it shall not be sufficient to refer to any other law to fix such tax or object.

MISSISSIPPI.**70. IV.**

No revenue bill nor any bill providing for assessments of property for taxation, shall become a law, except by a vote of at least three-fifths of the members of each house, present and voting.

NEBRASKA.**19. III.**

Each Legislature shall make appropriations for the expenses of the government until the expiration of the first fiscal quarter after the adjournment of the next regular session, and all appropriations shall end with such fiscal quarter. And whenever it is deemed necessary to make further appropriations for deficiencies, the same shall require a two-thirds vote of all the members elected to each house, and shall not exceed the amount of revenue authorized by law to be raised in such time. Bills making appropriations for the pay of members and officers of the Legislature, and for the salaries of the officers of the government, shall contain no provision on any other subject.

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NORTH CAROLINA.**7. V.**

Every act of the General Assembly levying a tax shall state the special object to which it is to be applied, and it shall be applied to no other purpose.

NORTH DAKOTA.**175. XI.**

No tax shall be levied except in pursuance of law, and every law imposing a tax shall state distinctly the object of the same, to which it only shall be applied.

OHIO.**5. XII.**

No tax shall be levied except in pursuance of law; and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

OREGON.**3. III.**

No tax shall be levied except in pursuance of law, and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

SOUTH CAROLINA.**4. IX.**

No tax shall be levied except in pursuance of a law, which shall distinctly state the object of the same, to which object such tax shall be applied.

SOUTH DAKOTA.**8. XI.**

No tax shall be levied except in pursuance of a law, which shall distinctly state the object of the same, to which the tax only shall be applied.

VIRGINIA.**11. X.**

On the passage of every act which

Bill Imposing a Tax, Manner of Passing.

Sec. Art.

imposes, continues or revives any appropriation of public trust money or property, or releases, discharges or commutes any claim or demand of the State, the vote shall be determined by yeas and nays, and the names of the persons voting for and against the same shall be entered on the journals of the respective houses, and a majority of all the members elected to each house shall be necessary to give it the force of law.

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WEST VIRGINIA.**42. VI.**

Bills making appropriations for the pay of members and officers of the Legislature, and for salaries for the officers of the government, shall contain no provision on any other subject.

WYOMING.**13. XV.**

No tax shall be levied except in pursuance of law, and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

Board of Supervisors.

BOARD OF SUPERVISORS.

1 Sec. 26. There shall be in the several counties, except
 2 in cities whose boundaries are the same as those of the county,
 3 a board of supervisors, to be composed of such members,
 4 and elected in such manner, and for such period, as is or may
 5 be provided by law. In any such city the duties and powers
 6 of a board of supervisors may be devolved upon the common
 7 council or board of aldermen thereof.

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MICHIGAN.

6. X.

A board of supervisors, consisting of one from each organized township, shall be established in each county, with such powers as shall be prescribed by law.

9. I.

The board of supervisors of any county may borrow or raise by tax one thousand dollars, for constructing or repairing public buildings, highways or bridges; but no greater sum shall be borrowed or raised by tax for such purposes in any one year unless authorized by a majority of the electors of such county voting thereon.

11. X.

The board of supervisors of each organized county may provide for laying out highways, constructing bridges, and organizing townships under such restrictions and limitations as shall be prescribed by law.

MISSISSIPPI.

170.

Each county shall be divided in-

Sec. Art.

to five districts. A resident freeholder of each district shall be selected, in the manner prescribed by law, and the five so chosen shall constitute the board of supervisors of the county, a majority of whom may transact business. The board of supervisors shall have full jurisdiction over roads, ferries and bridges, to be exercised in accordance with such regulations as the Legislature may prescribe, and perform such other duties as may be required by law. The clerk of the Chancery court of each county shall be clerk of the board of supervisors.

176. VI.

No person shall be a member of the board of supervisors who is not a resident freeholder in the district for which he is chosen. The value of real estate necessary to be owned to qualify persons in the several counties to be members of said board shall be fixed by law.

Local Legislative Powers.

LOCAL LEGISLATIVE POWERS.

1 Sec. 27. The Legislature shall, by general laws, confer
2 upon the boards of supervisors of the several counties of the
3 State such further powers of local legislation and administra-
4 tion as the Legislature may from time to time deem expedient.

Sec. Art.**MICHIGAN.****10. X.**

The board of supervisors, or in the county of Wayne the board of county auditors, shall have the exclusive power to prescribe and fix the compensation for all services rendered for, and to adjust all claims against their respective counties, and

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the sum so fixed or defined shall be subject to no appeal.

WISCONSIN.**22. IV.**

The Legislature may confer upon the boards of supervisors of the several counties of the State such powers of a local, legislative and administrative character, as they shall from time to time prescribe.

 No Extra Compensation to be Granted.

NO EXTRA COMPENSATION TO BE GRANTED.

- 1 Sec. 28. The Legislature shall not, nor shall the com-
 2 mon council of any city, nor any board of supervisors, grant
 3 any extra compensation to any public officer, servant, agent
 4 or contractor.

Sec. Art.**ALABAMA.****29. IV.**

No bill shall be passed giving any extra compensation to any public officer, servant or employe, agent or contractor, after the services shall have been rendered or contract made; nor shall any officer of the State bind the State to the payment of any sum of money but by authority of law.

ARKANSAS.**27. V.**

No extra compensation shall be made to any officer, agent, employe or contractor after the service shall have been rendered or the contract made; nor shall any money be appropriated or paid on any claim the subject matter of which shall not have been provided for by pre-existing laws; unless such compensation or claim be allowed by bill passed by two-thirds of the members elected to each branch of the General Assembly.

CALIFORNIA.**32. IV.**

The Legislature shall have no power to grant, or authorize any county or municipal authority to grant, any extra compensation or allowance to any public officer, agent, servant or contractor after service has been ren-

Sec. Art.

dered or a contract has been entered into and performed, in whole or in part; nor to pay, or to authorize the payment of any claim hereafter created against the State, or any county or municipality of the State, under any agreement or contract made without express authority of law; and all such unauthorized agreements or contracts shall be null and void.

CONNECTICUT.**24.**

Neither the General Assembly, nor any county, city, borough, town or school district shall have power to pay or grant any extra compensation to any public officer, employe, agent or servant, or increase the compensation of any public officer or employe, to take effect during the continuance in office of any person whose salaries might be increased thereby, or increase the pay or compensation of any public contractor above the amount specified in the contract.

COLORADO.**24. V.**

No bill shall be passed giving any extra compensation to any public officer, servant or employe, agent or contractor, after services shall have been rendered or contract made, nor provid-

No Extra Compensation to be Granted.

Sec. Art.

ing for the payment of any claim made against the State without previous authority of law.

30. V.

Except as otherwise provided in this Constitution, no law shall extend the term of any public officer, or increase or diminish his salary or emolument after his election or appointment. Provided, This shall not be construed to forbid the General Assembly to fix the salary or emoluments of those first elected or appointed under this Constitution.

FLORIDA.

11. XVI.

No extra compensation shall be made to any officer, agent, employe or contractor, after the service shall have been rendered, or the contract made; nor shall any money be appropriated or paid on any claim, the subject matter of which shall not have been provided for by pre-existing laws, unless such compensation or claim be allowed by bill passed by two-thirds of the members elected to each house of the Legislature.

GEORGIA.

16. VII.

Par. II. The General Assembly shall not grant or authorize extra compensation to any public officer, agent or contractor after the service has been rendered or the contract entered into.

ILLINOIS.

19. V.

The General Assembly shall never grant or authorize extra compensation, fee or allowance to any public officer, agent, servant or contractor, after service has been rendered or a contract made, nor authorize the payment of any

Sec. Art.

claim, or part thereof, hereafter created against the State under any agreement or contract made without express authority of law; and all such unauthorized agreements or contracts shall be null and void: Provided, The General Assembly may make appropriations for expenditures incurred in suppressing insurrection or repelling invasion.

IOWA.

31. III.

No extra compensation shall be made to any officer, public agent or contractor, after the service shall have been rendered, or the contract entered into; nor shall any money be paid on any claim, the subject-matter of which shall not have been provided for by pre-existing laws, and no public money or property shall be appropriated for local or private purposes, unless such appropriation, compensation or claim be allowed by two-thirds of the members elected to each branch of the General Assembly.

LOUISIANA.

45.

The General Assembly shall have no power to grant, or to authorize any parish or municipal authority to grant, any extra compensation, fee or allowance to a public officer, agent, servant or contractor, nor pay, nor authorize the payment, of any claim against the State, or any parish or municipality of the State, under any agreement or contract made without express authority of law, and all such authorized agreements or contracts shall be null and void.

MARYLAND.

35. III.

No extra compensation shall be granted or allowed by the Gene-

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ral Assembly to any public officer, agent, servant or contractor, after the service shall have been rendered, or the contract entered into; nor shall the salary or compensation of any public officer be increased or diminished during his term of office.

MICHIGAN.

21. IV.

The Legislature shall not grant nor authorize extra compensation to any public officer, agent or contractor after the service has been rendered or the contract entered into.

MISSISSIPPI.

96. IV.

The Legislature shall never grant extra compensation, fee or allowance, to any public officer, agent, servant or contractor, after service rendered, or contract made, nor authorize payment, or part payment, of any claim under any contract, not authorized by law; but appropriations may be made for expenditures in repelling invasion, preventing or suppressing insurrections.

MISSOURI.

48. IV.

The General Assembly shall have no power to grant or to authorize any county or municipal authority to grant any extra compensation, fee or allowance to a public officer, agent, servant or contractor, after service has been rendered or a contract has been entered into and performed in whole or in part, nor pay nor authorize the payment of any claim hereafter created against the State, or any county or municipality of the State, under any agreement or contract made without express authority of law; and all such unauthorized agree-

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ments or contracts shall be null and void.

MONTANA.

29. V.

No bill shall be passed giving any extra compensation to any public officer, servant or employe, agent or contractor, after services shall have been rendered or contract made, nor providing for the payment of any claim made against the State without previous authority of law, except as may be otherwise provided herein.

NEBRASKA.

16.

The Legislature shall never grant any extra compensation to any public officer, agent, servant or contractor, after the services shall have been rendered, or the contract entered into. Nor shall the compensation of any public officer be increased or diminished during his term of office.

OHIO.

29. II.

No extra compensation shall be made to any officer, public agent or contractor after the service shall have been rendered or the contract entered into; nor shall any money be paid, on any claim, the subject matter of which shall not have been provided for by pre-existing law, unless such compensation or claim be allowed by two-thirds of the members elected to each branch of the General Assembly.

PENNSYLVANIA.

11. III.

No bill shall be passed giving any extra compensation of any public officer, servant, employe, agent or contractor, after services shall have been rendered or contract made, nor providing for the pay-

No Extra Compensation to be Granted.

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ment of any claim against the Commonwealth without previous authority of law.

18. III.

No law shall extend the term of any public officer, or increase or diminish his salary or emoluments, after his election or appointment.

SOUTH DAKOTA.**3. XII.**

The Legislature shall never grant any extra compensation to any public officer, employe, agent or contractor after the services shall have been rendered or the contract entered, nor authorize the payment of any claims or part thereof created against the State, under any agreement or contract made without express authority of law, and all such unauthorized agreements or contracts shall be null and void; nor shall the compensation of any public officer be increased or diminished during his term of office: Provided, however, that the Legislature may make appropriations for expenditures incurred in suppressing insurrection or repelling invasion.

TEXAS.**44. III.**

The Legislature shall provide by law for the compensation of all officers, servants, agents and public contractors, not provided for in this Constitution, but shall not grant extra compensation to any officer, agent, servant or public contractors, after such public service shall have been performed or contract entered into for the performance of the same; nor grant, by appropriation or otherwise, any amount of money out of the treasury of the State to any individual on a claim, real or pretended, when the same shall not have

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been provided for by pre-existing law; nor employ any one in the name of the State unless authorized by pre-existing law.

58. III.

The Legislature shall have no power to grant, or to authorize any county or municipal authority to grant, any extra compensation, fee or allowance to a public officer, agent, servant or contractor after service has been rendered or a contract has been entered into and performed, in whole or in part; nor pay, authorize the payment of, any claim created against any county or municipality of the State, under any agreement on contract made without authority of law.

WASHINGTON.**25. II.**

The Legislature shall never grant any extra compensation to any public officer, agent, servant or contractor, after the services shall have been rendered or the contract entered into, nor shall the compensation of any public officer be increased or diminished during his term of office.

WEST VIRGINIA.**38. VI.**

No extra compensation shall be granted or allowed to any public officer, agent, servant or contractor, after the services shall have been rendered, or the contract made; nor shall any Legislature authorize the payment of any claim or part thereof, hereafter created against the State, under any agreement or contract made, without express authority of law; and all such unauthorized agreements shall be null and void. Nor shall the salary of any public officer be increased or diminished during his term of office,

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nor shall any such officer, or his or their sureties, be released from any debt or liability due to the State: Provided, The Legislature may make appropriations for expenditures hereafter incurred in suppressing insurrection, or repelling invasion.

26. VI. WISCONSIN.

The Legislature shall never grant any extra compensation to any public officer, agent, servant or

Sec. Art.

contractor, after the service shall have been rendered or the contract entered into. Nor shall the compensation of any public officer be increased or diminished during his term of office.

WYOMING.

30. III.

No bill shall be passed giving any extra compensation to any public officer, servant or employe, agent or contractor after services are rendered or contract made.

OCCUPATION AND EMPLOYMENT OF PRISONERS.

1 Sec. 29. The Legislature shall, by law, provide for the
2 occupation and employment of prisoners sentenced to the
3 several State prisons, penitentiaries, jails and reformatories in
4 the State; and on and after the first day of January, in the
5 year one thousand eight hundred and ninety-seven, no person
6 in any such prison, penitentiary, jail or reformatory, shall be
7 required or allowed to work, while under sentence thereto, at
8 any trade, industry or occupation, wherein or whereby his
9 work or the product or profit of his work, shall be farmed
10 out, contracted, given or sold to any person, firm, association
11 or corporation. This section shall not be construed to prevent
12 the Legislature from providing that convicts may work for,
13 and that the products of their labor may be disposed of to,
14 the State or any political division thereof, or for or to any
15 public institution owned or managed and controlled by the
16 State, or any political division thereof.

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ALABAMA.**15. I.**

That the State of Alabama shall never be made a defendant in any court of law or equity.

4. IV.

Senators shall be at least twenty-seven years of age, and Representatives twenty-one years of age; they shall have been citizens and inhabitants of this State for three years, and inhabitants of their respective counties or districts one year next before their election, if such county or district shall have been so long established, but if not, then of the county or district from which the same shall have been taken; and they shall reside in their respective counties or districts during their terms of service.

37. IV.

When the General Assembly shall be convened in special session, there shall be no legislation upon subjects other than those designated in the proclamation of the Governor calling such session.

43. IV.

A member of the General Assembly, who has a personal or private interest in any measure or bill, proposed or pending before the General Assembly, shall disclose the fact to the house of which he is a member, and shall not vote thereon.

52. IV.

The General Assembly shall not tax the property, real or personal, of the State, counties, or other municipal corporations, or cemeteries; nor lots in incorporated cities or towns, or within one mile of any city or town, to the extent of one acre, nor lots

Sec. Art.

one mile or more distant from such cities or towns, to the extent of five acres, with the building thereon, when the same are used exclusively for religious worship, for schools, or for purposes purely charitable; nor such property, real or personal, to an extent not exceeding twenty-five thousand dollars in value, as may be used exclusively for agricultural or horticultural associations of a public character.

16. V.

The President of the Senate and Speaker of the House of Representatives shall, during the time they respectively administer the government, receive the same compensation which the Governor would have received if he had been employed in the duties of his office: Provided, That if the General Assembly shall be in session during such absence, they, or either of them, shall receive no compensation as members of the General Assembly while acting as Governor.

4. XI.

The General Assembly shall not have the power to levy, in any one year, a greater rate of taxation than three-fourths of one per centum on the value of the taxable property within this State.

9. XI.

The General Assembly shall not have the power to require the counties or other municipal corporations to pay any charges which are now payable out of the State treasury.

ARKANSAS.**15. V.**

The members of the General As-

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sembly shall, in all cases except treason, felony and breach or surety of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

17. V.

The regular biennial sessions shall not exceed sixty days in duration, unless by a vote of two-thirds of the members elected to each house of said General Assembly: Provided, That this section shall not apply to the first session of the General Assembly under this Constitution, or when impeachments are pending.

32. V.

No act of the General Assembly shall limit the amount to be recovered for injuries resulting in death, or for injuries to persons or property; and in case of death from such injuries the right of action shall survive and the General Assembly shall prescribe for whose benefit such action shall be prosecuted.

8. XIX.

It shall be the duty of the General Assembly to regulate by law in what cases and what deductions from the salaries of public officers shall be made for neglect of duty in their official capacity.

9. XIX.

The General Assembly shall have no power to create any permanent State office not expressly provided for by this Constitution.

12. XIX.

An accurate and detailed statement of the receipts and expenditures of the public money, the several amounts paid, to whom

Sec. Art.

and on what account, shall, from time to time, be published as may be prescribed by law.

CALIFORNIA.

11. I.

All laws of a general nature shall have a uniform operation.

11. IV.

Members of the Legislature shall, in all cases, except treason, felony and breach of the peace, be privileged from arrest and shall not be subject to any civil process during the session of the Legislature, nor for fifteen days next before the commencement and after the termination of each session.

10. XII.

The Legislature shall not pass any laws permitting the leasing or alienation of any franchise, so as to relieve the franchise or property held thereunder from the liabilities of the lessor or grantor, lessee or grantee, contracted or incurred in the operation, use or enjoyment of such franchise, or any of its privileges.

15. XX.

Mechanics, material-men, artisans, and laborers of every class shall have a lien upon the property upon which they have bestowed labor or furnished material, for the value of such labor done and material furnished; and the Legislature shall provide, by law, for the speedy and efficient enforcement of such liens.

COLORADO.

6. III.

The General Assembly shall enact laws in order to prevent the destruction of, and to keep in good preservation the forests upon the lands of the State, or upon lands of the public domain, the control of which shall be con-

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ferred by Congress upon the State.

16. V.

The members of the General Assembly shall, in all cases except treason, felony, violation of their oath of office, and breach or surety of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

19. V.

No act of the General Assembly shall take effect until ninety days after its passage, unless in case of emergency (which shall be expressed in the preamble or body of the act) the General Assembly shall by a vote of two-thirds of all the members elected to each house, otherwise direct. No bill except the general appropriation for the expenses of the government only, introduced in either house of the General Assembly after the first twenty-five days of the session, shall become a law.

20. V.

No bill shall be considered or become a law unless referred to a committee, returned therefrom, and printed for the use of the members.

36. V.

No act of the General Assembly shall authorize the investment of trust funds by executors, administrators, guardians, or other trustees, in the bonds or stock of any private corporation.

38. V.

No obligation or liability to any person, association or corporation, held or owned by the State, or any municipal corporation

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therein, shall ever be exchanged, transferred, remitted, released or postponed, or in any way diminished by the General Assembly, nor shall such liability or obligation be extinguished except by payment thereof into the proper treasury.

43. V.

A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly, shall disclose the fact to the house of which he is a member, and shall not vote thereon.

44. V.

One Representative in the Congress of the United States shall be elected from the State at large at the first election under this Constitution, and thereafter at such times and places and in such manner as may be prescribed by law. When a new appropriation shall be made by Congress, the General Assembly shall divide the State into Congressional districts accordingly.

1. VII.

Every person holding any civil office under the State or any municipality therein, shall, unless removed according to law, exercise the duties of such office until his successor is duly qualified; but this shall not apply to members of the General Assembly, nor to members of any board or assembly, two or more of whom are elected at the same time; the General Assembly may by law provide for suspending any officer in his functions, pending impeachment or prosecution for misconduct in office.

7. X.

The General Assembly shall not impose taxes for the purpose of any county, city, town or other municipal corporation, but may,

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by law, vest in the corporate authorities thereof respectively the power to assess and collect taxes for all purposes of such corporation.

5. XI.

A debt for the purpose of erecting public buildings may be created by law, as provided for in section 4 of this article, not exceeding in the aggregate three mills on each dollar of said valuation: Provided, That before going into effect, such law shall be ratified by the vote of a majority of such qualified electors of the State as shall vote thereon at a general election, under such regulations as the General Assembly may prescribe.

2.

The General Assembly shall have no power to remove the county seat of any county; but the removal of county seats shall be provided for by general law, and no county seat shall be removed unless a majority of the qualified electors of the county, voting on the proposition at a general election, vote therefor; and no such proposition shall be submitted oftener than once in four years, and no person shall vote on such proposition who shall not have resided in the county six months and in the election precinct ninety days next preceding such election.

CONNECTICUT.

10. III.

The Senators and Representatives shall, in all cases of civil process, be privileged from arrest during the session of the General Assembly, and for four days before the commencement and after the termination of any session thereof. And for any speech or debate in either house, they shall not be questioned in any other place.

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DELAWARE.

13. II.

When vacancies happen in either house, writs of election shall be issued by the speakers respectively, or in cases of necessity, in such other manner as shall be provided by law; and the persons thereupon chosen shall hold their seats as long as those in whose stead they are elected might have done, if such vacancies had not happened.

FLORIDA.

8. III.

The seat of a member of either house shall be vacated on his permanent change of residence from the district or county from which he was elected.

18. III.

No law shall take effect until sixty days from the final adjournment of the session of the Legislature at which it may have been enacted, unless otherwise specially provided in such law.

19. III.

Accurate statements of the receipts and expenditures of the public money shall be attached to and published with the laws passed at every regular session of the Legislature.

1. VII.

The Senators representing the odd numbered districts, as said districts are now designated, whose terms have not expired, and those Senators representing even numbered districts, to be elected A. D. 1886, under the Constitution of 1868, shall be the first Senate under this Constitution; and the members of the Assembly to be elected A. D. 1886 shall be the first House of Representatives under this Constitution, and the Senate and House of Representatives thus constituted shall be the first

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Legislature under this Constitution, and the terms of office of each of said Senators and members of the House of Representatives shall expire at the election for Senators and members of the House of Representatives A. D. 1888, and in that year a new Senate and House of Representatives shall be elected.

3. IX.

No tax shall be levied except in pursuance of law.

GEORGIA.

4. I.

Par. II. Legislative acts in violation of this Constitution or the Constitution of the United States, are void, and the judiciary shall so declare them.

4. III.

Par. VI. No session of the General Assembly shall continue longer than forty days, unless by a two-thirds vote of the whole number of each house.

4. III.

Par. VIII. The seat of a member of either house shall be vacated on his removal from the district or county from which he was elected.

3. V.

Par. I. The Senators shall be citizens of the United States, who have attained the age of twenty-five years, and who shall have been citizens of this State for four years, and for one year residents of the district from which elected.

6. III.

Par. I. The Representatives shall be citizens of the United States who have attained the age of twenty-one years, and who shall have been citizens of the State for two years, and for one year residents of the counties from which elected.

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7. III.

Par. XIX. The General Assembly shall have no power to relieve principals or securities upon forfeited recognizances, from the payment thereof, either before or after judgment thereon, unless the principal in the recognizances shall have been apprehended and placed in the custody of the proper officer.

7. III.

Par. XXIII. No provision in this Constitution, for a two-thirds vote of both houses of the General Assembly, shall be construed to waive the necessity for the signature of the Governor, as in any other case, except in the case of the two-thirds vote required to override the veto, and in case of prolongation of a session of the General Assembly.

8. III.

Par. I. The officers of the two houses, other than the President and Speaker, shall be a Secretary of the Senate and Clerk of the House of Representatives, and such assistants as they may appoint; but the clerical expenses of the Senate shall not exceed sixty dollars per day for each session, nor those of the House of Representatives seventy dollars per day for each session. The Secretary of the Senate and Clerk of the House of Representatives shall be required to give bond and security for the faithful discharge of their respective duties.

1. III.

Par. XV. A person once rejected by the Senate shall not be reappointed by the Governor to the same office during the same session or the recess thereafter.

9. VII.

Par. I. The receiving, directly or indirectly, by any officer of the State or county, or member or

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officer of the General Assembly, of any interests, profits or perquisites arising from the use or loan of the public funds in his hands, or moneys to be raised through his agency for State or county purposes, shall be deemed a felony, and punishable as may be prescribed by law, a part of which punishment shall be a disqualification from holding office.

11. VII.

Par. I. The General Assembly shall have no authority to appropriate money, either directly or indirectly, to pay the whole or any part of the principal or interest of the bonds, or other obligations, which have been pronounced illegal, null and void by the General Assembly, and the Constitutional amendments ratified by a vote of the people on the first day of May, 1877; nor shall the General Assembly have authority to pay any of the obligations created by the State under laws passed during the late war between the States, nor any of the bonds, notes or obligations made and entered into during the existence of said war, the time for the payment of which was fixed after the ratification of a treaty of peace between the United States and the Confederate States; nor shall the General Assembly pass any law, or the Governor, or other State official enter into any contract or agreement, whereby the State shall be made a party to any suit in any court of this State, or of the United States, instituted to test the validity of any such bonds or obligations.

3. XI.

Par. I. Whatever tribunal, or officers, may hereafter be created by the General Assembly for

Sec. Art.

the transaction of county matters, shall be uniform throughout the State, and of the same name, jurisdiction and remedies, except that the General Assembly may provide for the appointment of commissioners of roads and revenue in any county.

IDAHO.

17. III.

Every act or joint resolution shall be plainly worded, avoiding as far as practical the use of technical terms.

22. III.

No act shall take effect until sixty days from the end of the session at which the same shall have been passed, except in case of emergency, which emergency shall be declared in the preamble or in the body of the law.

5. VII.

All taxes shall be uniform upon the same class of subjects within the territorial limits, of the authority levying the tax, and shall be levied and collected under general laws, which shall prescribe such regulations as shall secure a just valuation for taxation of all property, real and personal: Provided, That the Legislature may allow such exemptions from taxation from time to time as shall seem necessary and just, and all existing exemptions provided by the laws of the Territory shall continue until changed by the Legislature of the State: Provided, further, That duplicate taxation of property for the same purpose during the same year is hereby prohibited.

11. XV.

The Legislature shall not pass any law permitting the leasing or alienation of any franchise so as to release or relieve the franchise or property held thereun-

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der from any of the liabilities of the lessor or grantor, or lessee or grantee, contracted or incurred in the operation, use or enjoyment of such franchise, or any of its privileges.

6. XIII.

The Legislature shall provide by proper legislation for giving to mechanics, laborers, and materialmen an adequate lien on the subject-matter of their labor.

7. XIII.

The Legislature may establish boards of arbitration, whose duty it shall be to hear and determine all differences and controversies between laborers and their employers which may be submitted to them in writing by all the parties. Such boards of arbitration shall possess all the powers and authority in respect to administering oaths, subpoenaing witnesses, and compelling their attendance, preserving order during the sittings of the board, punishing for contempt, and requiring the production of papers and writings, and all other powers and privileges, in their nature applicable, conferred by law on justices of the peace.

6. XV.

The Legislature shall provide by law the manner in which reasonable maximum rates may be established to be charged for the use of water sold, rented or distributed for any useful or beneficial purpose.

1. XVI.

The Legislature shall pass all necessary laws to provide for the protection of live stock against the introduction or spread of pleuro-pneumonia, glanders, splenetic or Texas fever, and other infectious or contagious diseases. The Legislature may also establish a system of quar-

Sec. Art.

antine or inspection, and such other regulations as may be necessary for the protection of stock owners and most conducive to the stock interests within this State.

ILLINOIS.

8. V.

When a county or district shall have a fraction of population above what shall entitle it to one representative, or more, according to the provisions of the foregoing section, amounting to one-fifth of the ratio, it shall be entitled to one additional representative in the fifth term of each decennial period; when such fraction is two-fifths of the ratio, it shall be entitled to an additional representative in the fourth and fifth terms of said period; when the fraction is three-fifths of the ratio, it shall be entitled to an additional representative in the first, second and third terms, respectively; when a fraction is four-fifths of the ratio, it shall be entitled to an additional representative in first, second, third and fourth terms, respectively.

Note.—By the adoption of the minority representation, sections 7 and 8 of this article, above set forth, cease to be a part of the Constitution. Under section 12 of the schedule, and the vote of adoption, the following section relating to minority representation is substituted for said sections.

14. V.

Senators and Representatives shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest during the session of the General Assembly, and in going to and returning from the same; and for any speech or debate in either house they shall not

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be questioned in any other place.

23. V.

The General Assembly shall have no power to release or extinguish, in whole or in part, the indebtedness, liability or obligation of any corporation or individual to this State or to any municipal corporation therein.

28. V.

No law shall be passed which shall operate to extend the term of any public officer after his election or appointment.

6. IX.

The General Assembly shall have no power to release or discharge any county, city, township, town or district whatever, or the inhabitants thereof, or the property therein, from their or its proportionate share of taxes to be levied for State purposes, nor shall commutation for such taxes be authorized in any form whatsoever.

6. XIII.

It shall be the duty of the General Assembly to pass all necessary laws to prevent the issue of false and fraudulent warehouse receipts, and to give full effect to this article of the Constitution, which shall be liberally construed so as to protect producers and shippers. And the enumeration of the remedies herein named shall not be construed to deny to the General Assembly the power to prescribe by law such other and further remedies as may be found expedient, or to deprive any person of existing common law remedies.

7. XIII.

The General Assembly shall pass laws for the inspection of grain, for the protection of producers, shippers and receivers of grain and produce.

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INDIANA.

25. I.

No law shall be passed, the taking effect of which shall be made to depend upon any authority, except as provided in this Constitution.

26. I.

The operation of the laws shall never be suspended except by the authority of the General Assembly.

8. IV.

Senators and Representatives, in all cases except treason, felony, and breach of the peace, shall be privileged from arrest during the session of the General Assembly, and in going to and returning from the same; and shall not be subject to any civil process during the session of the General Assembly, nor during the fifteen days next before the commencement thereof. For any speech or debate in either house, a member shall not be questioned in any other place.

20. IV.

Every act and joint resolution shall be plainly worded, avoiding as far as practicable, the use of technical terms.

23. IV.

In all the cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the State.

24. IV.

Provisions may be made by general law, for bringing suits against the State, as to all liabilities originating after the adoption of this Constitution; but no special act authorizing such suit to be brought, or making compensation to any person claiming damages against the State, shall ever be passed.

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28. IV.

No act shall take effect until the same shall have been published and circulated in the several counties of this State, by authority, except in case of emergency; which emergency shall be declared in the preamble or in the body of the law.

4. X.

An accurate statement of the receipts and expenditures of the public money shall be published with the laws of each regular session of the General Assembly.

7. X.

No law or resolution shall ever be passed by the General Assembly of the State of Indiana that shall recognize any liability of this State to pay or redeem any certificate of stock issued in pursuance of an act entitled "An act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie canal to Evansville," passed January 19, 1846, and an act supplemental to said act passed January 29, 1847, which by the provisions of the said acts, or either of them, shall be payable exclusively from the proceeds of the canal lands, and the tolls and revenues of the canal in said acts mentioned; and no such certificates of stocks shall ever be paid by this State.

IOWA.

6. I.

All laws of a general nature shall have a uniform operation; the General Assembly shall not grant to any citizen, or class of citizens, privileges or immunities, which, upon the same terms, shall not equally belong to all citizens.

11. III.

Senators and Representatives, in all cases, except treason, felony

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or breach of the peace, shall be privileged from arrest during the session of the General Assembly, and in going to and returning from the same.

18. III.

An accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws at every regular session of the General Assembly.

26. III.

No law of the General Assembly, passed at a regular session, of a public nature, shall take effect until the fourth day of July next after the passage thereof. Laws passed at a special session shall take effect ninety days after the adjournment of the General Assembly by which they were passed. If the General Assembly shall deem any law of immediate importance, they may provide that the same shall take effect by publication in newspapers in the State.

37. III.

When a congressional, senatorial or representative district shall be composed of two or more counties, it shall not be entirely separated by any county belonging to another district; and no county shall be divided in forming a congressional, senatorial or representative district.

KANSAS.

6. XI.

No debt shall be contracted by the State except as herein provided, unless the proposed law for creating such debt shall first be submitted to a direct vote of the electors of the State at some general election; and if such proposed law shall be ratified by a majority of all the votes cast at such general election, then it shall be the duty of the Legis-

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lature next after such election to enact such law and create such debt, subject to all the provisions and restrictions provided in the preceding section of this article.

2. XV.

The tenure of any office not herein provided for may be declared by law; when not so declared such office shall be held during the pleasure of the authority making the appointment, but the Legislature shall not create any office the tenure of which shall be longer than four years.

5. XV.

An accurate and detailed statement of the receipts and expenditures of the public moneys, and the several amounts paid, to whom, and on what account, shall be published, as prescribed by law.

7. XV.

The Legislature may reduce the salaries of officers, who shall neglect the performance of any legal duty.

KENTUCKY.

52.

The General Assembly shall have no power to release, extinguish or authorize the releasing or extinguishing, in whole or in part, the indebtedness or liability of any corporation or individual to this Commonwealth, or to any county or municipality thereof.

54.

The General Assembly shall have no power to limit the amount to be recovered for injuries resulting in death, or for injuries to person or property.

57.

A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly, shall disclose the fact to the

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house of which he is a member, and shall not vote thereon upon pain of expulsion.

63.

No new county shall be created by the General Assembly which will reduce the county or counties, or either of them, from which it shall be taken, to less area than four hundred square miles; nor shall any county be formed of less area; nor shall any boundary line thereof pass within less than ten miles of any county seat of the county or counties proposed to be divided. Nothing contained herein shall prevent the General Assembly from abolishing any county.

174.

All property, whether owned by natural persons or corporations, shall be taxed in proportion to its value, unless exempted by this Constitution; and all corporate property shall pay the same rate of taxation paid by individual property. Nothing in this Constitution shall be construed to prevent the General Assembly from providing for taxation based on income, licenses or franchises.

181.

The General Assembly shall not impose taxes for the purposes of any county, city, town or other municipal corporation, but may, by general laws, confer on the proper authorities thereof, respectively, the power to assess and collect such taxes. The General Assembly may, by general laws only, provide for the payment of license fees on franchises, stock used for breeding purposes, the various trades, occupations and professions, or a special or excise tax; and may, by general laws, delegate the power to counties, towns, cities, and other municipal cor-

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porations, to impose and collect license fees on stock used for breeding purposes, on franchises, trades, occupations and professions.

182.

Nothing in this Constitution shall be construed to prevent the General Assembly from providing by law how railroads and railroad property shall be assessed and how taxes thereon shall be collected. And until otherwise provided, the present law on said subject shall remain in force.

198.

It shall be the duty of the General Assembly, from time to time, as necessity may require, to enact such laws as may be necessary to prevent all trusts, pools, combinations or other organizations, from combining to depreciate below its real value any article, or to enhance the cost of any article above its real value.

244.

All wage-earners in this State employed in factories, mines, workshops, or by corporations, shall be paid for their labor in lawful money. The General Assembly shall prescribe adequate penalties for violations of this section.

249.

The House of Representatives of the General Assembly shall not elect, appoint, employ or pay for, exceeding one chief clerk, one assistant clerk, one enrolling clerk, one sergeant-at-arms, one door-keeper, one janitor, two cloak-room keepers and four pages; and the Senate shall not elect, appoint, employ or pay for exceeding one chief clerk, one assistant clerk, one enrolling clerk, one sergeant-at-arms, one door-keeper, one janitor,

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one cloak-room keeper and three pages; and the General Assembly shall provide, by general law, for fixing the per diem or salary of all said employees.

250.

It shall be the duty of the General Assembly to enact such laws as shall be necessary and proper to decide differences by arbitrators, the arbitrators to be appointed by the parties who may choose that summary mode of adjustment.

253.

Persons convicted of felony and sentenced to confinement in the penitentiary shall be confined at labor within the walls of the penitentiary; and the General Assembly shall not have the power to authorize employment of convicts elsewhere, except upon the public works of the Commonwealth of Kentucky, or when, during pestilence or in case of the destruction of the prison buildings, they cannot be confined in the penitentiary.

LOUISIANA.

21.

The General Assembly shall meet at the seat of government on the second Monday of May, 1882, at twelve o'clock noon, and biennially thereafter. Its first session under this Constitution may extend to a period of ninety days, but any subsequent session shall be limited to a period of sixty days. Should a vacancy occur in either house, the Governor shall order an election to fill such vacancy for the remainder of the term.

31.

The General Assembly shall never adopt any system or code of laws, by general reference to such system or code of laws, but in all cases shall recite

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at length the several provisions of the laws it may enact.

36.

No bill, ordinance or resolution, intended to have the effect of a law, which shall have been rejected by either house, shall be again proposed in the same house during the same session, under the same or any other title, without the consent of a majority of the house by which the same was rejected.

40.

No law passed by the General Assembly, except the general appropriation act, or act appropriating money for the expenses of the General Assembly, shall take effect until promulgated. A law shall be considered promulgated at the place where the State journal is published the day after the publication of such law in the State journal, and in all other parts of the State twenty days after such publication.

41.

The clerical officers of the two houses shall be a Secretary of the Senate and Clerk of the House of Representatives, with such assistants as may be necessary; but the expenses for clerks and employes shall not exceed sixty dollars daily for the Senate nor seventy dollars daily for the House.

50.

Any member of the General Assembly who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the house of which he is a member, and shall not vote thereon.

52.

The General Assembly shall have no power to increase the expenses of any office by appointing assistant officials.

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55.

No appropriation of money shall be made by the General Assembly in the last five days of the session thereof; all appropriations, to be valid, shall be passed and receive the signatures of the President of the Senate and Speaker of the House of Representatives five full days before the adjournment sine die of the General Assembly.

57.

The General Assembly shall have no power to release or extinguish or to authorize the releasing or extinguishing, in whole or in part, the indebtedness, liability or obligation of any corporation or individual to this State, or to any parish or municipal corporation therein: Provided, The heirs to confiscated property may be released of all taxes due thereon at the date of its reversion to them.

212.

The Legislature shall pass no law postponing the payment of taxes, except in case of overflow, general conflagration, general destruction of the crops, or other public calamity.

203.

Taxation shall be equal and uniform throughout the territorial limits of the authority levying the tax, and all property shall be taxed in proportion to its value, to be ascertained as directed by law: Provided, The assessment of all property shall never exceed the actual cash value thereof: And provided further, That the taxpayers shall have the right of testing the correctness of their assessments before the courts of justice. In order to arrive at this equality and uniformity the General Assembly shall, at its first session after the adoption of this Constitution, provide a system of

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equality and uniformity in assessments, based upon the relative value of property in the different portions of the State. The valuation put upon property for the purposes of State taxation shall be taken as the proper valuation for purposes of local taxation in every subdivision of the State.

MAINE.

22. I.

No tax or duty shall be imposed without the consent of the people or of their representatives in the Legislature.

6. IV.

Whenever the seat of a member shall be vacated by death, resignation, or otherwise, the vacancy may be filled by a new election.

The Senators shall be twenty-five years of age at the commencement of the term for which they are elected, and in all other respects their qualifications shall be the same as those of the Representatives.

9. IX.

The Legislature shall never, in any manner, suspend or surrender the power of taxation.

MARYLAND.

12. II.

No person, after being rejected by the Senate, shall be again nominated for the same office at the same session, unless at the request of the Senate; or be appointed to the same office during the recess of the Legislature.

16. III.

No book or other printed matter not appertaining to the business of the session shall be purchased or subscribed for, for the use of the members of the General Assembly, or be distributed among them, at the public expense.

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31. III.

No law passed by the General Assembly shall take effect until the first day of June next after the session at which it may be passed, unless it be otherwise expressly declared therein.

37. III.

The General Assembly shall pass no law providing for the payment, by this State, for slaves emancipated from servitude in this State; but they shall adopt such measures as they may deem expedient to obtain from the United States compensation for such slaves, and to receive and distribute the same equitably to the persons entitled.

51. III.

The personal property of residents of this State shall be subject to taxation in the county or city where the resident bona fide resides for the greater part of the year for which the tax may or shall be levied, and not elsewhere, except goods and chattels permanently located, which shall be taxed in the city or county where they are so located, but the General Assembly may by law provide for the taxation of mortgages upon property in this State and the debts secured thereby in the county or city where such property is situated.

MASSACHUSETTS.

3.

And in order to provide for a representation of the citizens of this Commonwealth, founded upon the principle of equality, every corporate town containing one hundred and fifty ratable polls may elect one Representative; every corporate town containing three hundred and seventy-five ratable polls may elect two Representatives;

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every corporate town containing six hundred ratable polls may elect three Representatives; and proceeding in that manner, making two hundred and twenty-five ratable polls the mean increasing number for every additional Representative.

Provided, nevertheless, that each town now incorporated, not having one hundred and fifty ratable polls, may elect one Representative; but no place shall hereafter be incorporated with the privilege of electing a Representative unless there are within the same one hundred and fifty ratable polls. (Superseded by amendments, Arts. XII. and XIII., which were also superseded by amendments, Art. XXI.).

And the House of Representatives shall have power, from time to time, to impose fines upon such towns as shall neglect to choose and return members to the same, agreeably to this Constitution.

The expenses of traveling to the General Assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the House, and does not depart without leave.

3.

VII. (And whereas the elections appointed to be made by this Constitution, on the last Wednesday in May annually, by the two houses of the Legislature, may not be completed on that day, the said elections may be adjourned from day to day until the same shall be completed. And the orders of elections shall be as follows: The vacan-

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cies in the Senate, if any, shall first be filled up; the Governor and Lieutenant-Governor shall then be elected, provided there should be no choice of them by the people; and afterwards the two houses shall proceed to the election of a council). (Superseded by amendments, Arts. XVI. and XXV.)

Art. XXIV. Any vacancy in the Senate shall be filled by election by the people of the unrepresented district, upon the order of a majority of the Senators elected.

MICHIGAN.

5. IV.

Senators and Representatives shall be citizens of the United States, and qualified electors in the respective counties and districts which they represent. A removal from their respective counties or districts shall be deemed a vacation of their office.

20. IV.

No law shall embrace more than one subject, which shall be expressed in its title. No public act shall take effect or be in force until the expiration of ninety days from the end of the session at which the same is passed, unless the Legislature shall otherwise direct by a two-thirds vote of the members elected to each house.

28. IV.

No new bill shall be introduced into either house of the Legislature after the first fifty days of the session shall have expired.

2. X.

No organized county shall ever be reduced by the organization of new counties to less than sixteen townships, as surveyed by the United States, unless in pursuance of law a majority of

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electors residing in each county to be affected thereby shall so decide. The Legislature may organize any city into a separate county when it has attained a population of twenty thousand inhabitants, without reference to geographical extent; when a majority of the electors of a county in which such city may be situated, voting thereon, shall be in favor of a separate organization.

8. X.

No county seat once established shall be removed until the place to which it is proposed to be removed shall be designated by two-thirds of the board of supervisors of the county, and a majority of the electors voting thereon shall have voted in favor of the proposed location, in such manner as shall be prescribed by law.

5. XVIII.

An accurate statement of the receipts and expenditures of the public moneys shall be attached to and published with the laws at every regular session of the Legislature.

4. XIX.

Such judicial district shall be entitled at all times to at least one Senator, and, until entitled to more by its population, it shall have three members of the House of Representatives, to be apportioned among the several counties by the Legislature.

15.

Any territory attached to any county for judicial purposes, if not otherwise represented, shall be considered as forming part of such county, so far as regards elections, for the purpose of representation.

MINNESOTA.

22. IV.

No bill shall be passed by either

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house of the Legislature upon the day prescribed for the adjournment of the two houses. But this section shall not be so construed as to preclude the enrollment of a bill, or the signature and passage from one house to the other, or the reports thereon from committees, or its transmission to the executive for his signature.

25. IV.

Senators and Representatives shall be qualified voters of the State, and shall have resided one year in the State and six months immediately preceding the election in the district from which they are elected.

26. IV.

Members of the Senate of the United States from this State shall be elected by the two houses of the Legislature in joint convention, at such time and in such manner as may be provided by law.

27. IV.

No law shall embrace more than one subject, which shall be expressed in its title.

3. IX.

Laws shall be passed taxing all moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise, and also all real and personal property, according to its true value in money; but public burying grounds, public school houses, public hospitals, academies, colleges, universities, and all seminaries of learning, all churches, church property used for religious purposes, and houses of worship, institutions of purely public charity, public property used exclusively for any public purpose, and personal property, to an amount not exceeding in value two hundred dollars for each individual, shall,

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by general laws, be exempt from taxation.

MISSISSIPPI.**42. IV.**

No person shall be a Senator who shall not have attained the age of twenty-five years, who shall not have been a qualified elector of the State four years, and who shall not be an actual resident of the district or territory he may be chosen to represent, for two years before his election. The seat of a Senator shall be vacated upon his removal from the district from which he was elected.

48. IV.

Senators and Representatives shall in all cases, except treason, felony, theft or breach of the peace, be privileged from arrest during the session of the Legislature, and for fifteen days before the commencement and after the termination of each session.

65. IV.

All votes on the final passage of any measure shall be subject to reconsideration for at least one whole legislative day, and no motion to reconsider such vote shall be disposed of adversely on the day on which the original vote was taken, except on the last day of the session.

67. IV.

No new bills shall be introduced into either house of the Legislature during the last three days of the session.

71. IV.

Every bill introduced into the Legislature shall have a title, and the title ought to indicate clearly the subject matter, or matters, of the proposed legislation. Each committee to which a bill may be referred shall express, in writing, its judgment

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of the sufficiency of the title of the bill, and this, too, whether the recommendation be that the bill do pass, or do not pass.

74. IV.

No bill shall become a law until it shall have been referred to a committee of each house and returned therefrom with a recommendation in writing.

78. IV.

It shall be the duty of the Legislature to regulate by law the cases in which deductions shall be made from salaries of public officers, for neglect of official duty and the amount of said deduction.

81. IV.

The Legislature shall never authorize the permanent obstruction of any of the navigable waters of this State; but may provide for the removal of such obstructions as now exist, whenever the public welfare demands; this section shall not prevent the construction, under proper authority, of draw-bridges for railroads, or other roads, nor the construction of "booms and chutes" for logs in such manner as not to prevent the safe passage of vessel, or logs, under regulations to be provided by law.

83. IV.

The Legislature shall enact laws to secure the safety of persons from fires in hotels, theatres and other public places of resort.

91. IV.

The Legislature shall not enact any law for one or more counties not applicable to all the counties in the State, increasing the uniform charge for the registration of deeds, or regulating costs and charges and fees of officers.

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93. IV.

The Legislature shall not retire any officer on pay, or part pay, or make any grant to such retiring officer.

97. IV.

The Legislature shall have no power to revive any remedy which may have become barred by lapse of time, or by any statute of limitation of this State.

109. IV.

No public officer or member of the Legislature shall be interested directly or indirectly in any contract with the State, or any district, county, city or town thereof, authorized by any law passed, or order made by any board of which he may be or may have been a member, during the term for which he shall have been chosen, or within one year after the expiration of such term.

262. XIV.

The board of supervisors shall have power to provide homes or farms as asylums for those persons who, by reason of age, infirmity or misfortune, may have claims upon the sympathy and aid of society; and the Legislature shall enact suitable laws to prevent abuses by those having the care of such persons.

MISSOURI.

57. III.

The legal rate of interest shall be six per cent per annum, unless otherwise provided by the General Assembly.

13. IV.

If any Senator or Representative remove his residence from the district or county for which he was elected, his office shall thereby be vacated.

14. IV.

Write of election to fill such va-

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cancies as may occur in either house of the General Assembly shall be issued by the Governor.

29. IV.

All amendments adopted by either house to a bill pending and originating in the same shall be incorporated with the bill by engrossment, and the bill, as thus engrossed, shall be printed for the use of the members before its final passage. The engrossing and printing shall be under the supervision of a committee, whose report to the house shall set forth, in writing, that they find the bill truly engrossed, and that the printed copy furnished to the members is correct.

30. IV.

If a bill passed by either house be returned thereto, amended by the other, the house to which the same is returned shall cause the amendment or amendments so received to be printed under the same supervision as provided in the next preceding section, for the use of the members, before final action on such amendments.

35. IV.

When a bill is put upon its final passage in either house, and, falling to pass, a motion is made to reconsider the vote by which it was defeated, the vote upon such motion to reconsider shall be immediately taken, and the subject finally disposed of before the house proceeds to any other business.

36. IV.

No law passed by the General Assembly, except the general appropriation act, shall take effect or go into force until ninety days after the adjournment of the session at which it was enacted, unless in case of an emergency (which emergency must

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be expressed in the preamble or (in the body of the act), the General Assembly shall, by a vote of two-thirds of all the members elected to each house, otherwise direct—said vote to be taken by yeas and nays, and entered upon the journal.

41. IV.

Within five years after the adoption of this Constitution, all the statute laws of a general nature, both civil and criminal, shall be revised, digested and promulgated in such manner as the General Assembly shall direct; and a like revision, digest and promulgation shall be made at the expiration of every subsequent period of ten years.

50. IV.

The General Assembly shall have no power to release or alienate the lien held by the State upon any railroad, or in anywise change the tenor or meaning or pass any act explanatory thereof; but the same shall be enforced in accordance with the original terms upon which it was acquired.

52. IV.

The General Assembly shall have no power to make any appropriation of money, or to issue any bonds or other evidences of indebtedness for the payment or on account or in recognition of any claims audited or that may hereafter be audited by virtue of an act entitled "An act to audit and adjust the war debt of the State," approved March 19, 1874, or any act of a similar nature, until after the claims so audited shall have been presented to and paid by the government of the United States to the State of Missouri.

2. IX.

The General Assembly shall have

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no power to remove the county seat of any county, but the removal of county seats shall be provided for by general law; and no county seat shall be removed unless two-thirds of the qualified voters of the county, voting on the proposition at a general election, vote therefor; and no such proposition shall be submitted oftener than once in five years. All additions to a town which is a county seat shall be included, considered and regarded as a part of the county seat.

3. IX.

The General Assembly shall have no power to establish any new county within a territory of less than four hundred and ten square miles, nor to reduce any county, now established, to a less area or less population than required for a ratio of representation existing at the time; but when a new county is formed, having a population less than a ratio of representation, it shall be attached for representative purposes to the county from which the greatest amount of territory is taken until such ratio shall be obtained. No county shall be divided or have any portion stricken therefrom, without submitting the question to a vote of the people of the county, nor unless a majority of all the qualified voters of the county or counties thus affected, voting on the question, shall vote therefor; nor shall any new county be established, any line of which shall run within ten miles of the then existing county seat of any county. In all cases of the establishment of any new county, the new county shall be held for and obliged to pay its ratable proportion of all the liabilities then existing of the county or counties from

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which said new county shall be formed.

10. X.

The General Assembly shall not impose taxes upon counties, cities, towns or other municipal corporations, or upon the inhabitants or property thereof, for county, city, town or other municipal purposes; but may, by general laws, vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

19. XII.

The General Assembly shall pass no law for the benefit of a railroad or other corporations, or any individual or association of individuals, retrospective in its operation, or which imposes on the people of any county or municipal subdivision of the State a new liability in respect to transactions or considerations already past.

1. XIV.

The General Assembly of this State shall never interfere with the primary disposal of the soil by the United States, nor with any regulation which Congress may find necessary for securing the title in such soil to bona fide purchasers. No tax shall be imposed on lands the property of the United States; nor shall lands belonging to persons residing out of the limits of this State ever be taxed at a higher rate than the lands belonging to persons residing within the State.

MONTANA.

24. III.

Laws for the punishment of crime shall be founded on the principles of reformation and prevention, but this shall not affect the power of the Legislative Assembly to provide for punishing offenses by death.

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22. V.

No bill shall be considered or become a law unless referred to a committee, returned therefrom and printed for the use of the members.

36. V.

The Legislative Assembly shall not delegate to any special commission, private corporation or association, any power to make, supervise or interfere with any municipal improvement, money, property or effects, whether held in trust or otherwise, or to levy taxes, or to perform any municipal functions whatever.

37. V.

No act of the Legislative Assembly shall authorize the investment of trust funds by executors, administrators, guardians or trustees in the bonds or stock of any private corporation.

39. V.

No obligation or liability of any person, association or corporation, held or owned by the State, or any municipal corporation therein, shall ever be exchanged, transferred, remitted, released or postponed, or in any way diminished by the Legislative Assembly; nor shall such liability or obligation be extinguished, except by the payment thereof into the proper treasury.

44. V.

A member who has a personal or private interest in any measure or bill proposed or pending before the Legislative Assembly shall disclose the fact to the house of which he is a member, and shall not vote thereon.

7. XIX.

In the disposition of the public lands granted by the United States to this State, preference shall always be given to actual settlers thereon, and the Legis-

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lative Assembly shall provide by law for carrying this section into effect.

NEBRASKA.**12. III.**

Members of the Legislature in all cases, except treason, felony or breach of the peace, shall be privileged from arrest during the session of the Legislature, and for fifteen days next before the commencement and after the termination thereof.

24. III.

No act shall take effect until three calendar months after the adjournment of the session at which it passed, unless in case of emergency (to be expressed in the preamble or body of the act) the Legislature shall, by a vote of two-thirds of all the members elected to each house, otherwise direct. All laws shall be published in book form within sixty days after the adjournment of each session, and distributed among the several counties, in such manner as the Legislature may provide.

22. VI.

The State may sue and be sued, and the Legislature shall provide by law in what manner and in what courts suits shall be brought.

4. IX.

The Legislature shall have no power to release or discharge any county, city, township, town or district whatever, or the inhabitants thereof, be any corporation, or the property therein, from their or its proportionate share of taxes to be levied for State purposes, or due any municipal corporation, nor shall commutation for such taxes be authorized in any form whatever.

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7. IX.

Private property shall not be liable to be taken or sold for the payment of the corporate debts of municipal corporations. The Legislature shall not impose taxes upon municipal corporations, or the inhabitants or property thereof, for corporate purposes.

1. X.

No new county shall be formed or established by the Legislature which will reduce the county or counties, or either of them, to a less area than four hundred square miles, nor shall any county be formed of a less area.

NEVADA.**8. II.**

All persons qualified by law to vote for Representatives to the General Assembly of the Territory of Nevada on the twenty-first day of March, A. D. eighteen hundred and sixty-four, and all other persons who may be lawful voters in said Territory on the first Wednesday of September next following, shall be entitled to vote directly upon the question of adopting or rejecting this Constitution.

7. III.

The Legislature shall provide by law for the payment of an annual poll tax of not less than two nor exceeding four dollars from each male person resident in the State, between the ages of twenty-one and sixty years (uncivilized American Indians excepted), one-half to be applied for State and one-half for county purposes; and the Legislature may, in its discretion, make such payment a condition to the right of voting.

11. III.

The tenure of any office not here-

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in provided for may be declared by law, or, when not so declared, such office shall be held during the pleasure of the authority making the appointment; but the Legislature shall not create any office, the tenure of which shall be longer than four years, except as herein otherwise provided in this Constitution.

34. IV.

In all elections for United States Senators, such elections shall be held in joint convention of both houses of the Legislature. It shall be the duty of the Legislature which convenes next preceding the expiration of the term of such Senator, to elect his successor. If a vacancy in such senatorial representation from any cause occur, it shall be the duty of the Legislature then in session, or at the succeeding session thereof, to supply the vacancy. If the Legislature shall, at any time, as herein provided, fail to unite in a joint convention within twenty days after the commencement of the session of the Legislature for the election (of) such Senator, it shall be the duty of the Governor, by proclamation, to convene the two houses of the Legislature in joint convention within not less than five days, nor exceeding ten days, from the publication of his proclamation; and the joint convention, when so assembled, shall proceed to elect the Senator, as herein provided.

NEW HAMPSHIRE.

Art. 28. No subsidy, charge, tax, impost or duty shall be established, fixed, laid or levied, under any pretext whatsoever, without the consent of the people or their representatives in

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the Legislature, or authority derived from that body.

Art. 31. The Legislature shall assemble for the redress of public grievances and for making such laws as the public good may require.

36.

Economy being a most essential virtue in all States, especially in a young one, no pension should be granted but in consideration of actual services; and such pensions ought to be granted with great caution by the Legislature, and never for more than one year at a time.

21.

No member of the House of Representatives or Senate shall be arrested or held to bail on mesne process, during his going to, returning from, or attendance upon, the court.

34.

And, in case there shall not appear to be a Senator elected by a majority of votes for any district, the deficiency shall be supplied in the following manner, viz.: The members of the House of Representatives and such Senators as shall be declared elected shall take the names of the two persons having the highest number of votes in the district, and out of them shall elect by joint ballot, the Senator wanted for such district; and, in this manner, all such vacancies shall be filled up in every district of the State; (all vacancies in the Senate arising by death, removal out of the State, or otherwise, except from failure to elect, shall be filled by a new election by the people of the district upon the requisition of the Governor as soon as may be after such vacancies shall happen).

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64.

The resolutions and advice of the council shall be recorded by the secretary in a register, and signed by all the members present agreeing thereto; and this record may be called for at any time by either house of the Legislature; and any member of the council may enter his opinion contrary to the resolution of the majority, with the reasons for such opinion.

66.

And, whereas the elections appointed to be made by this Constitution on the first Wednesday of (January), biennially, by the two houses of the Legislature, may not be completed on that day, the said elections may be adjourned from day to day until the same be completed. And the order of the elections shall be as follows: The vacancies in the Senate, if any, shall be first filled up; the Governor shall then be elected, provided there shall be no choice of him by the people; and, afterwards, the two houses shall proceed to fill up the vacancy, if any, in the council.

NEW JERSEY.

2. IV.

As soon as the Senate shall meet after the first election to be held in pursuance of this Constitution, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the first year; of the second class at the expiration of the second year; and of the third class at the expiration of the third year, so that one class may be elected every year; and if vacancies happen, by resignation or otherwise, the persons elected to supply such vacancies shall be

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elected for the unexpired term only.

10. IV.

The Legislature may vest in the Circuit Courts, or Courts of Common Pleas within the several counties of this State, chancery powers, so far as relates to the foreclosure of mortgages and sale of mortgaged premises.

NORTH CAROLINA.

6. I.

The State shall never assume to pay, or authorize the collection of any debt or obligation, express or implied, incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; nor shall the General Assembly assume or pay, or authorize the collection of any tax to pay, either directly or indirectly, express or implied, any debt or bond incurred, or issued, by authority of the convention of the year one thousand eight hundred and sixty-eight, nor any debt or bond, incurred or issued by the Legislature of the year one thousand eight hundred and sixty-eight, either at its special session of the year one thousand eight hundred and sixty-eight, or at its regular session of the year one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, and one thousand eight hundred and seventy, except the bonds issued to fund the interest on the old debt of the State, unless the proposing to pay the same shall have first been submitted to the people and by them ratified by the vote of a majority of all the qualified voters of the State, at a regular election held for that purpose.

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9. I.

All power of suspending laws, or the execution of laws, by any authority, without the consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.

23. I.

The people of the State ought not to be taxed, or made subject to the payment of any impost or duty, without the consent of themselves, or their representatives in the General Assembly freely given.

7. II.

Each member of the Senate shall not be less than twenty-five years of age, shall have resided in the State as a citizen two years, and shall have usually resided in the district from which he is chosen, one year immediately preceding his election.

8. II.

Each member of the House or Representatives shall be a qualified elector of the State, and shall have resided in the county for which he is chosen, for one year immediately preceding his election.

25. II.

The terms of office for Senators and members of the House of Representatives shall commence at the time of their election.

12. IV.

The General Assembly shall have no power to deprive the judicial department of any power or jurisdiction which rightfully pertains to it as a co-ordinate department of the government; but the General Assembly shall allot and distribute that portion of this power and jurisdiction which does not pertain to the Supreme Court, among the other

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courts prescribed in this Constitution or which may be established by law, in such manner as it may deem best; provide also a proper system of appeals, and regulate by law, when necessary, the methods of proceeding in the exercise of their powers, of all the courts below the Supreme Courts, so far as the same may be done without conflict with other provisions of this Constitution.

3. V.

Laws shall be passed taxing, by a uniform rule, all moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise; and, also, all real and personal property, according to its true value in money. The General Assembly may also tax trades, professions, franchises, and incomes, provided that no income shall be taxed when the property from which the income is derived is taxed.

6. V.

The taxes levied by the commissioners of the several counties for county purposes shall be levied in like manner with the State taxes, and shall never exceed the double of the State tax, except for a special purpose, and with the special approval of the General Assembly.

2. XI.

The object of punishments being not only to satisfy justice, but also to reform the offender, and thus prevent crime, murder, arson, burglary, and rape, and these only may be punishable with death, if the General Assembly shall so enact.

6. XI.

It shall be required by competent legislation that the structures and superintendence of penal institutions of the State, the county jails, and city police

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prisons, secure the health and comfort of the prisoners, and that male and female prisoners be never confined in the same room or cell.

11. XI.

It shall be steadily kept in view by the Legislature and the board of public charities, that all penal and charitable institutions should be made as nearly self-supporting as is consistent with the purposes of their creation.

NORTH DAKOTA.

11. I.

All laws of a general nature shall have a uniform operation.

43. II.

Any member who has a personal or private interest in any measure or bill proposed or pending before the Legislative Assembly, shall disclose the fact to the house of which he is a member, and shall not vote thereon without the consent of the house.

56. II.

No regular sessions of the Legislative Assembly shall exceed sixty days, except in case of impeachment, but the first session of the Legislative Assembly may continue for a period of one hundred and twenty days.

67. 11.

No act of the Legislative Assembly shall take effect until July 1st after the close of the session, unless in case of emergency (which shall be expressed in the preamble or body of the act), the Legislative Assembly shall, by a vote of two-thirds of all the members present in each house, otherwise direct.

OHIO.

18. I.

No power of suspending laws shall ever be exercised, except by the General Assembly.

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3. II.

Senators and Representatives shall have resided in their respective counties or districts one year next preceding their election, unless they shall have been absent on the public business of the United States or this State.

7. II.

The mode of organizing the House of Representatives, at the commencement of each regular session, shall be prescribed by law.

11. II.

All vacancies which may happen in either house shall, for the unexpired term, be filled by election, as shall be directed by law.

26. II.

All laws, of a general nature, shall have a uniform operation throughout the State; nor shall any act, except such as relates to public schools, be passed, to take effect upon the approval of any other authority than the General Assembly, except as otherwise provided in this Constitution.

4. III.

Should there be no session of the General Assembly in January next after an election for any of the offices aforesaid, the returns of such election shall be made to the Secretary of State, and opened and the result declared by the Governor, in such manner as may be provided by law.

2. XII.

Laws shall be passed taxing by a uniform rule all moneys, credits, investments in bonds, stocks, joint-stock companies or otherwise; and also all real and personal property according to its true value in money; but burying grounds, public school-houses, houses used ex-

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clusively for public worship, institutions of purely public charity, public property used exclusively for any public purpose, and personal property to an amount not exceeding in value two hundred dollars, for each individual may, by general laws, be exempted from taxation; but all such laws shall be subjected to alterations and repeal; and the value of all property so exempted, shall, from time to time, be ascertained and published, as may be directed by law.

7. XIII.

No act of the General Assembly authorizing associations with banking powers shall take effect until it shall be submitted to the people, at the general election next succeeding the passage thereof, and be approved by a majority of all the electors voting at such election.

2. XV.

The printing of the laws, journals, bills, legislative documents and papers for each branch of the General Assembly, with the printing required for the executive and other departments of state, shall be let on contract to the lowest bidder, by such executive officers and in such manner as shall be prescribed by law.

3. XV.

An accurate and detailed statement of the receipts and expenditures of the public money, the several amounts paid, to whom, and on what account, shall, from time to time, be published, as shall be prescribed by law.

9. XV.

No license to traffic in intoxicating liquors shall hereafter be granted in this State; but the General Assembly may, by law,

Sec. Art.

provide against evil resulting therefrom.

16.

Where two or more counties are joined in a senatorial, representative or judicial district, the returns of election shall be sent to the county having the largest population.

OREGON.

32. I.

No tax or duty shall be imposed without the consent of the people or their representatives in the Legislative Assembly; and all taxation shall be equal and uniform.

27. IV.

Every statute shall be a public law, unless otherwise declared in the statute itself.

28. IV.

No act shall take effect until ninety days from the end of the session at which the same shall have been passed, except in case of emergency, which emergency shall be declared in the preamble or in the body of the law.

1. XIV.

The Legislative Assembly shall not have the power to establish a permanent seat of government for this State. But at the first regular session after the adoption of this Constitution, the Legislative Assembly shall provide by law for the submission to the electors of this State at the next general election thereafter, of the matter of the selection of a place for a permanent seat of government; and no place shall ever be the seat of government under such law, which shall not receive a majority of all votes cast on the matter of such elections.

2. XV.

Where the duration of any office is not provided for by this Con-

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stitution, it may be declared by law; and if not so declared, such office shall be held during the pleasure of the authority making the appointment. But the Legislative Assembly shall not create any office the tenure of which shall be longer than four years.

PENNSYLVANIA.

12. I.

No power of suspending laws shall be exercised unless by the Legislature or by its authority.

5. II.

Senators shall be at least twenty-five years of age and Representatives twenty-one years of age. They shall have been citizens and inhabitants of the State four years, and inhabitants of their respective districts one year, next before their election (unless absent on the public business of the United States or of this State), and shall reside in their respective districts during their terms of office.

2. III.

No bill shall be considered unless referred to a committee, returned therefrom, and printed for the use of the members.

17. III.

No appropriation shall be made to any charitable or educational institution not under the absolute control of the Commonwealth, other than normal schools established by law for the professional training of teachers for the public schools of the State, except by a vote of two-thirds of all the members elected to each house.

20. III.

The General Assembly shall not delegate to any special commission, private corporation or association, any power to make, supervise or interfere with any municipal improvement, money,

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property or effects whether held in trust or otherwise, or to levy taxes or perform any municipal function whatever.

21. III.

No act of the General Assembly shall limit the amount to be recovered for injuries resulting in death, or for injuries to person or property; and, in case of death from such injuries, the right of action shall survive, and the General Assembly shall prescribe for whose benefit such actions shall be prosecuted. No act shall prescribe any limitations of time within which suits may be brought against corporations for injuries to persons or property, or for other causes different from those fixed by general laws regulating actions against natural persons, and such acts now existing are avoided.

22. III.

No act of the General Assembly shall authorize the investment of trust funds by executors, administrators, guardians or other trustees, in the bonds or stock of any private corporation, and such acts now existing are avoided, saving investments heretofore made.

28. III.

No law changing the location of the capital of the State shall be valid until the same shall have been submitted to the qualified electors of the Commonwealth at the general election, and ratified and approved by them.

33. III.

A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the house of which he is a member, and shall not vote thereon.

1. IX.

All taxes shall be uniform, upon

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the same class of subject, within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws; but the General Assembly may, by general laws, exempt from taxation public property used for public purposes, actual places of worship, places of burial not used or held for private or corporate profit, and institutions of purely public charity.

RHODE ISLAND.**5. IV.**

The person of every member of the General Assembly shall be exempt from arrest, and his estate from attachment in any civil action, during the session of the General Assembly, and two days before the commencement and two days after the termination thereof, and all process served contrary hereto shall be void. For any speech in debate in either house, no member shall be questioned in any other place.

10. IV.

The General Assembly shall continue to exercise the powers they have heretofore exercised, unless prohibited in this Constitution.

17. IV.

Hereafter, when any bill shall be presented to either house of the General Assembly, to create a corporation for any other than for religious, literary or charitable purposes, or for a military or fire company, it shall be continued until another election of members of the General Assembly shall have taken place, and such public notice of the pendency thereof shall be given as may be required by law.

5. VIII.

The ballots for Senators and

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Representatives in the several towns shall, in each case, after the polls are declared to be closed, be counted by the moderator, who shall announce the result, and the clerk shall give certificates to the persons elected. If in any case there be no election, the polls may be reopened, and the like proceedings shall be had until an election shall take place: Provided, however, that an adjournment or adjournments of the election may be made to a time not exceeding seven days from the first meeting.

6. VIII.

In the city of Providence, the polls for Senator and Representatives shall be kept open during the whole time of the voting for the day, and the votes in the several wards shall be sealed up at the close of the meeting by the wardens and ward clerks in open ward meeting, and afterwards delivered to the city clerk. The mayor and aldermen shall proceed to count said votes within two days from the day of election; and if no election of Senator and Representatives, or if an election of only a portion of the Representatives shall have taken place, the mayor and aldermen shall order a new election, to be held not more than ten days from the day of the first election, and so on until the election shall be completed. Certificates of election shall be furnished by the city clerk to the persons chosen.

9. VIII.

Vacancies from any cause in the Senate or House of Representatives may be filled by a new election.

SOUTH CAROLINA.**37. I.**

No subsidy, charge, impost, tax or

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duties shall be established, fixed, laid or levied, under any pretext whatsoever, without the consent of the people, or their representatives lawfully assembled.

7. II.

No apportionment of Representatives shall be construed to take effect in any manner until the general election which shall succeed such apportionment.

13. II.

The terms of office of the Senators and Representatives chosen at a general election shall begin on the Monday following such election.

17. II.

The members of both houses shall be protected in their persons and estates during their attendance on, going to and returning from the General Assembly, and ten days previous to the sitting and ten days after the adjournment thereof. But these privileges shall not be extended so as to protect any member who shall be charged with treason, felony or breach of the peace.

2. XI.

The directors of the penitentiary shall be elected or appointed as the General Assembly may direct.

8. XIV.

The State Library shall be subject to such regulations as the General Assembly may prescribe.

SOUTH DAKOTA.

22. III.

No act shall take effect until ninety days after the adjournment of the session at which it passed, unless in case of emergency (to be expressed in the preamble or body of the act) the Legislature shall, by a vote of two-thirds of all the members elected to each house, otherwise direct.

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17. VI.

No tax or duty shall be imposed without the consent of the people or their representatives, in the Legislature, and all taxation shall be equal and uniform.

22. VI.

No person shall be attainted of treason or felony by the Legislature.

1. IX.

The Legislature shall provide by general law for organizing new counties, locating the county seats thereof and changing county lines; but no new counties shall be organized so as to include an area of less than twenty-four congressional townships, as near as may be without dividing a township or fractional township, nor shall the boundaries of any organized county be changed so as to reduce the same to a less area than above specified. All changes in county boundaries in counties already organized, before taking effect, shall be submitted to the electors of the county or counties to be affected thereby, at the next general election thereafter and be adopted by a majority of the votes cast in each county at such election. Counties now organized shall remain as they are unless changed according to the above provisions.

2. XI.

All taxes to be raised in this State shall be uniform on all real and personal property, according to its value in money, to be ascertained by such rules of appraisalment and assessment as may be prescribed by the Legislature by general law, so that every person and corporation shall pay a tax in proportion to the value of his, her or its property. And the

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Legislature shall provide by general law for the assessing and levying of taxes on all corporation property as near as may be by the same methods as are provided for assessing and levying of taxes on individual property.

4. XII.

An itemized statement of all receipts and expenditures of public moneys shall be published annually in such manner as the Legislature shall provide, and such statements shall be submitted to the Legislature at the beginning of each regular session by the Governor with his message.

6. XV.

All military records, banners and relics of the State, except when in lawful use, shall be preserved in the office of the adjutant-general as an enduring memorial of the patriotism and valor of South Dakota; and it shall be the duty of the Legislature to provide by law for the safe-keeping of the same.

TENNESSEE.

19. II.

After a bill has been rejected, no bill containing the same substance shall be passed into a law during the same session.

28. II.

All property, real, personal or mixed, shall be taxed, but the Legislature may except such as may be held by the State by counties, cities or towns, and used exclusively for public or corporation purposes, and such as may be held and used for purposes purely religious, charitable, scientific, literary or educational, and shall except one thousand dollars' worth of personal property in the hands of

Sec. Art.

each taxpayer, and the direct product of the soil in the hands of the producer and his immediate vendee. All property shall be taxed according to its value, that value to be ascertained in such manner as the Legislature shall direct, so that taxes shall be equal and uniform throughout the State. No one species of property from which a tax may be collected shall be taxed higher than any other species of property of the same value. But the Legislature shall have power to tax merchants, peddlers, and privileges in such manner as they may from time to time direct.

32. II.

No convention or General Assembly of this State shall act upon any amendment of the Constitution of the United States proposed by Congress to the several States, unless such convention or General Assembly shall have been elected after such amendment is submitted.

10. X.

A well regulated system of internal improvement is calculated to develop the resources of the State, and promote the happiness and prosperity of her citizens; therefore, it ought to be encouraged by the General Assembly.

17. X.

No county office created by the Legislature shall be filled otherwise than by the people or the County Court.

1. XI.

All laws and ordinances now in force and in use in this State, not inconsistent with this Constitution, shall continue in force and use until they shall expire, or be altered or repealed by the Legislature. But ordinances

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contained in any former Constitution or schedule thereto are hereby abrogated.

TEXAS.

6. III.

No person shall be a Senator unless he be a citizen of the United States, and at the time of his election a qualified elector of the State, and shall have been a resident of this State five years next preceding his election, and the last year thereof a resident of the district for which he shall be chosen, and shall have attained the age of twenty-six years.

22. III.

A member who has a personal or private interest in any measure or bill, proposed or pending before the Legislature, shall disclose the fact to the house of which he is a member, and shall not vote thereon.

23. III.

If any Senator or Representative remove his residence from the district or county for which he was elected, his office shall thereby become vacant, and the vacancy shall be filled as provided in section 13 of this article.

34. III.

After a bill has been considered and defeated by either house of the Legislature, no bill containing the same substance shall be passed into a law during the same session. After a resolution has been acted on and defeated, no resolution containing the same substance shall be considered at the same session.

37. III.

No bill shall be considered, unless it has been first referred to a committee and reported thereon; and no bill shall be passed which has not been presented and referred to and reported

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from a committee at least three days before the final adjournment of the Legislature.

39. III.

No law passed by the Legislature, except the general appropriation act, shall take effect or go into force until ninety days after the adjournment of the session at which it was enacted, unless, in case of an emergency (which emergency must be expressed in a preamble or in the body of the act) the Legislature shall, by a vote of two-thirds of all the members elected to each house, otherwise direct; said vote to be taken by yeas and nays, and entered upon the journals.

48. III.

The Legislature shall not have the right to levy taxes or impose burdens upon the people, except to raise revenue sufficient for the economical administration of the government, in which may be included the following purposes:

The payment of all interest upon the bonded debt of the State; the erection and repairs of public buildings; the benefit of the sinking fund, which shall not be more than two per centum of the public debt; and for the payment of the present floating debt of the State, including matured bonds for the payment of which the sinking fund is inadequate; the support of public schools, in which shall be included colleges and universities established by the State; and the maintenance and support of the Agricultural and Mechanical College of Texas; the payment of the cost of assessing and collecting the revenue; and the payment of all officers, agents and employes of the State government, and all incidental expenses connected therewith; the support of the blind asylum, the deaf and dumb asylum, and the in-

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sane asylum, the State cemetery and the public grounds of the State; the enforcement of quarantine regulations on the coast of Texas; the protection of the frontier.

51. III.

The Legislature shall have no power to make any grant, or authorize the making of any grant, of public money to any individual, association of individuals, municipal or other corporation whatsoever: Provided, That this shall not be so construed as to prevent the grant of aid in case of public calamity.

54. III.

The Legislature shall have no power to release or alienate any lien held by the State upon any railroad, or in any wise change the tenor or meaning or pass any act explanatory thereof; but the same shall be enforced in accordance with the original terms upon which it was acquired.

58. III.

The Legislature shall hold its sessions at the city of Austin, which is hereby declared to be the seat of government.

7. VIII.

The Legislature shall not have power to borrow, or in any manner divert from its purpose, any special fund that may, or ought to, come into the treasury; and shall make it penal for any person or persons to borrow, withhold, or in any manner to divert from its purpose, any special fund, or any part thereof.

10. VIII.

The Legislature shall have no power to release the inhabitants of, or property in, any county, city or town, from the payment of taxes levied for State or county purposes, unless in case of

Sec. Art.

great public calamity in any such county, city or town, when such release may be made by a vote of two-thirds of each house of the Legislature.

11. VIII.

All property, whether owned by persons or corporations, shall be assessed for taxation, and the taxes paid in the county where situated, but the Legislature may, by a two-thirds vote, authorize the payment of taxes of non-residents of counties to be made at the office of the Comptroller of Public Accounts. And all lands and other property not rendered for taxation by the owner thereof shall be assessed at its fair value by the proper officer.

17. VIII.

The specifications of the objects and subjects of taxation shall not deprive the Legislature of the power to require other subjects or objects to be taxed, in such manner as may be consistent with the principles of taxation fixed in this Constitution.

2. XI.

The construction of jails, court-houses and bridges and the establishment of county poor-houses and farms, and the laying out, construction and repairing of county roads, shall be provided for by general laws.

8. XI.

The counties and cities on the gulf coast being subject to calamitous overflows, and a very large proportion of the general revenue being derived from those otherwise prosperous localities, the Legislature is especially authorized to aid, by donation of such portion of the public domain as may be deemed proper, and in such mode as may

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be provided by law, the construction of sea walls, or breakwaters, such aid to be proportioned to the extent and value of the works constructed or to be constructed in any locality.

1. XIII.

All fines, penalties, forfeitures and escheats, which have heretofore accrued to the Republic and the State of Texas, under their Constitutions and laws, shall accrue to the State under this Constitution; and the Legislature shall provide a method for determining what lands have been forfeited, and for giving effect to escheats; and all such rights of forfeiture and escheat to the State shall, ipso facto, inure to the protection of the innocent holders of junior titles, as provided in sections 2, 3, and 4, of this article.

6. XIII.

The Legislature shall pass stringent laws for the detection and conviction of all forgers of land titles, and may make such appropriations of money for that purpose as may be necessary.

7. XVI.

The Legislature shall in no case have power to issue "treasury warrants," "treasury notes," or paper of any description intended to circulate as money.

10. XVI.

The Legislature shall provide for deductions from the salaries of public officers who may neglect the performance of any duty that may be assigned them by law.

11. XVI.

All contracts for a greater rate of interest than ten per centum per annum shall be deemed usurious, and the first Legislature after this amendment is

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adopted shall provide appropriate pains and penalties to prevent the same; but when no rate of interest is agreed upon, the rate shall not exceed six per centum per annum.

48. XVI.

All laws and parts of laws now in force in the State of Texas, which are not repugnant to the Constitution of the United States or to this Constitution, shall continue and remain in force as the laws of this State, until they expire by their own limitation or shall be amended or repealed by the Legislature.

* VERMONT.

14.

The votes and proceedings of the General Assembly shall be printed (when one-third of the members think it necessary) as soon as convenient after the end of each session, with the yeas and nays on any question, when required by any member (except where the votes shall be taken by ballot), in which case every member shall have a right to insert the reasons of his vote upon the minutes.

20.

No person ought in any case, or in any time, to be declared guilty of treason or felony by the Legislature.

28.

The Treasurer's accounts shall be annually audited and a fair statement thereof laid before the General Assembly at their session in October.

40.

The inhabitants of this State shall have liberty in seasonable times to hunt and fowl on the lands they hold, and on other lands not inclosed; and in like manner to fish in all boatable and other

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waters (not private property) under proper regulations, to be hereafter made and provided by the General Assembly.

19. V.

No new county shall be formed with an area of less than six hundred square miles; nor shall the county or counties from which it is formed be reduced below that area; nor shall any county having a population less than ten thousand be deprived of more than one-fifth of such population; nor shall a county having a larger population be reduced below eight thousand. But any county the length of which is three times its mean breadth, or which exceeds fifty miles in length, may be divided at the discretion of the General Assembly. In all general elections the voters in any county not entitled to separate representation shall vote in the same election district.

WASHINGTON.

12. II.

The first Legislature shall meet on the first Wednesday after the first Monday in November, A. D. 1889. The second Legislature shall meet on the first Wednesday after the first Monday in January, A. D. 1891, and sessions of the Legislature shall be held biennially thereafter, unless specially convened by the Governor, but the times of meeting of subsequent sessions may be changed by the Legislature. After the first Legislature the sessions shall not be more than sixty days.

31. II.

No law, except appropriation bills, shall take effect until ninety days after the adjournment of the session at which it was en-

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acted, unless in case of an emergency (which emergency must be expressed in the preamble or in the body of the act) the Legislature shall otherwise direct by a vote of two-thirds of all the members elected to each house; said vote to be taken by yeas and nays and entered on the journals.

35. II.

The Legislature shall pass necessary laws for the protection of persons working in mines, factories and other employments dangerous to life, or deleterious to health; and fix pains and penalties for the enforcement of same.

36. II.

No bill shall be considered in either House unless the time of its introduction shall have been at least ten days before the final adjournment of the Legislature, unless the Legislature shall otherwise direct by a vote of two-thirds of all the members elected to each House, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session.

39. II.

It shall not be lawful for any person holding public office in this State to accept or use a pass or to purchase transportation from any railroad or other corporation, other than as the same may be purchased by the general public, and the Legislature shall pass laws to enforce this provision.

1. XIV.

The Legislature shall have no power to change or to locate the seat of government of this State; but the question of the permanent location of the seat of gov-

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ernment of the State shall be submitted to the qualified electors of the Territory at the election to be held for the adoption of this Constitution. A majority of all the votes cast at said election, upon said question, shall be necessary to determine the permanent location of the seat of government for the State; and no place shall ever be the seat of government which shall not receive a majority of the votes cast on that matter. In case there shall be no choice of location at said first election, the Legislature shall, at its first regular session after the adoption of this Constitution, provide for submitting to the qualified electors of the State, at the next succeeding general election thereafter, the question of choice of location between the three places for which the highest number of votes shall have been cast at the said first election. Said Legislature shall provide further, that in case there shall be no choice of location at said second election, the question of choice between the two places for which the highest number of votes shall have been cast, shall be submitted in like manner to the qualified electors of the State at the next ensuing general election: Provided, That until the seat of government shall have been permanently located as herein provided, the temporary location shall remain at the city of Olympia.

8. XIV.

The Legislature shall make no appropriations or expenditures for capitol buildings or grounds, except to keep the Territorial capitol buildings and grounds in repair, and for making all necessary additions thereto, until the seat of government shall have been permanently located, and

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the public buildings are erected at the permanent capitol in pursuance of law.

WEST VIRGINIA.

11. VI.

Additional territory may be admitted into, and become part of this State, with the consent of the Legislature and the majority of the qualified voters of the State, voting on the question. And in such case provision shall be made by law for the representation thereof in the Senate and House of Delegates, in conformity with the principles set forth in this Constitution. And the number of members of which each house of the Legislature is to consist, shall thereafter be increased by the representation assigned to such additional territory.

22. VI.

No session of the Legislature, after the first, shall continue longer than forty-five days, without the concurrence of two-thirds of the members elected to each house.

40. VI.

The Legislature shall not confer upon any court, or judge, the power of appointment to office, further than the same is herein provided for.

WISCONSIN.

15. IV.

Members of the Legislature shall, in all cases, except treason, felony and breach of the peace, be privileged from arrest; nor shall they be subject to any civil process, during the session of the Legislature, nor for fifteen days next before the commencement and after the termination of each session.

WYOMING.

28. I.

No tax shall be imposed without.

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the consent of the people or their authorized representatives. All taxation shall be equal and uniform.

34. I.

All laws of a general nature shall have a uniform operation.

1. III.

One Representative in the Congress of the United States shall be elected from the State at large, the Tuesday next after the first Monday in November, 1890, and thereafter at such times and places, and in such manner as may be prescribed by law. When a new apportionment shall be made by Congress, the Legislature shall divide the State into congressional districts accordingly.

4. III.

When vacancies occur in either house by death, resignation or otherwise, such vacancy shall be filled for the remainder of the term by special election, to be called in such manner as may be prescribed by law.

23. III.

No bill shall be considered or become a law unless referred to a committee, returned therefrom and printed for the use of the members.

38. III.

No act of the Legislature shall authorize the investment of trust funds by executors, administrators, guardians or trustees, in the bonds or stock of any private corporation.

46. III.

A member who has a personal or private interest in any measure or bill proposed or pending before the Legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon.

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23. VII.

The Legislature shall have no power to change or to locate the seat of government, the State University, insane asylum or State penitentiary, but may after the expiration of ten (10) years after the adoption of this Constitution, provide by law for submitting the question of the permanent location thereof, respectively, to the qualified electors of the State, at some general election, and a majority of all votes upon said question cast at said election, shall be necessary to determine the location thereof; but for said period of ten (10) years, and until the same are respectively and permanently located, as herein provided, the location of the seat of government and said institutions shall be as follows:

The seat of government shall be located at the city of Cheyenne, in the county of Laramie. The State University shall be located at the city of Laramie, in the county of Albany. The insane asylum shall be located at the town of Evanston, in the county of Uinta. The penitentiary shall be located at the city of Rawlins, in the county of Carbon; but the Legislature may provide by law that said penitentiary may be converted to other public uses. The Legislature shall not locate any other public institutions except under general laws, and by vote of the people.

4. X.

No law shall be enacted limiting the amount of damages to be recovered for causing the injury or death of any person. Any contract or agreement with any employe waiving any right to recover damages for causing the death or injury of any employe shall be void.

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12. **XV.**

The property of the United States, the State, counties, cities, towns, school districts, municipal corporations and public libraries, lots with the buildings thereon used exclusively for religious worship, church parsonages, public cemeteries, shall be exempt from taxation, and such other

Sec. Art.

property as the Legislature may by general law provide.

3. **XXI.**

All laws now in force in the Territory of Wyoming, which are not repugnant to this Constitution, shall remain in force until they expire by their own limitation, or be altered or repealed by the Legislature.

EXECUTIVE POWER, HOW VESTED.

ARTICLE IV.

1 Section 1. The executive power shall be vested in a Gov-
 2 nor, who shall hold his office for two years; a Lieutenant-Gov-
 3 ernor shall be chosen at the same time, and for the same term.
 4 The Governor and Lieutenant-Governor elected next preced-
 5 ing the time when this section shall take effect, shall hold office
 6 until and including the thirty-first day of December, one thou-
 7 sand eight hundred and ninety-six, and their successors shall
 8 be chosen at the general election in that year.

Sec. Art.

ALABAMA.

1. V.

The executive department shall consist of a Governor, Secretary of State, State Treasurer, State Auditor, Attorney-General and Superintendent of Education, and a sheriff for each county.

2. V.

The supreme executive power of this State shall be vested in a chief magistrate, who shall be styled "The Governor of the State of Alabama."

5. V.

The Governor, Secretary of State, State Treasurer, State Auditor, and Attorney-General, shall hold their respective offices for the term of two years from the time of their installation in office, and until their successors shall be elected and qualified.

ARKANSAS.

2. VI.

The supreme executive power of

Sec. Art.

this State shall be vested in a chief magistrate, who shall be styled "The Governor of the State of Arkansas."

CALIFORNIA.

1. V.

The supreme executive power of this State shall be vested in a chief magistrate, who shall be styled the Governor of the State of California.

COLORADO.

1. IV.

The executive department shall consist of a Governor, Lieutenant-Governor, Secretary of State, Auditor of State, State Treasurer, Attorney-General and Superintendent of Public Instruction, each of whom shall hold his office for the term of two years, beginning on the second Tuesday of January next after his election: Provided, That the term of office of those chosen at the first election held under this Consti-

Executive Power, How Vested.

Sec. Art.

tution shall begin on the day appointed for the first meeting of the General Assembly. The officers of the executive department, excepting the Lieutenant-Governor, shall, during their term of office, reside at the seat of government, where they shall keep the public records, books and papers. They shall perform such duties as are prescribed by this Constitution or by law.

2. IV.

The supreme executive power of the State shall be vested in the Governor, who shall take care that the laws be faithfully executed.

CONNECTICUT.

1. IV.

The supreme executive power of the State shall be vested in a Governor, who shall be chosen by the electors of the State, and shall hold his office for one year from the first Wednesday of May (made to apply to biennial elections by amendment of 1875) next succeeding his election, and until his successor be duly qualified. No person who is not an elector of this State, and who has not arrived at the age of thirty years, shall be eligible.

DELAWARE.

1. III.

The supreme executive powers of the State shall be vested in the Governor.

3. III.

The Governor shall hold his office during four years from the third Tuesday of January next ensuing his election; and shall not be eligible a second time to said office.

FLORIDA.

1. IV.

The supreme executive power of the State shall be vested in a chief magistrate, who shall be styled the Governor of Florida.

Sec. Art.

GEORGIA.

1. V.

Par. I. The officers of the executive department shall consist of a Governor, Secretary of State, Comptroller-General and Treasurer.

1. V.

Par. II. The executive power shall be vested in a Governor, who shall hold his office during the term of two years, and until his successor shall be chosen and qualified. He shall not be eligible to re-election, after the expiration of a second term, for the period of four years. He shall have a salary of three thousand dollars per annum (until otherwise provided by a law passed by a two-thirds vote of both branches of the General Assembly), which shall not be increased nor diminished during the period for which he shall have been elected; nor shall he receive, within that time, any other emolument from the United States, or either of them, or from any foreign power. But this reduction of salary shall not apply to the present term of the present Governor.

IDAHO.

1. IV.

The executive department shall consist of a Governor, Lieutenant-Governor, Secretary of State, State Auditor, State Treasurer, Attorney-General and Superintendent of Public Instruction, each of whom shall hold his office for two years, beginning on the first Monday in January next after his election, except as otherwise provided in this Constitution. The officers of the executive department, excepting Lieutenant-Governor, shall, during their terms of office, reside at the seat of government, where they shall keep the public

Executive Power, How Vested.

Sec. Art.

records, books and papers. They shall perform such duties as are prescribed by this Constitution and as may be prescribed by law.

5. IV.

The supreme executive power of the State is vested in the Governor, who shall see that the laws are faithfully executed.

ILLINOIS.

1. V.

The executive department shall consist of a Governor, Lieutenant-Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Superintendent of Public Instruction and Attorney-General, who shall each, with the exception of the Treasurer, hold his office for the term of four years from the second Monday of January next after his election, and until his successor is elected and qualified. They shall, except the Lieutenant-Governor, reside at the seat of government during their term of office, and keep the public records, books and papers there, and shall perform such duties as may be prescribed by law.

6. V.

The supreme executive power shall be vested in the Governor, who shall take care that the laws are faithfully executed.

INDIANA.

1. V.

The executive powers of the State shall be vested in a Governor. He shall hold his office during four years, and shall not be eligible more than four years in any period of eight years.

2. V.

There shall be a Lieutenant-Governor, who shall be in his office during four years.

Sec. Art.

IOWA.

1. IV.

The supreme executive power of the State shall be vested in a chief magistrate, who shall be styled the Governor of the State of Iowa.

3. IV.

There shall be a Lieutenant-Governor, who shall hold his office two years, and be elected at the same time as the Governor. In voting for Governor and Lieutenant-Governor, the electors shall designate for whom they vote as Governor, and for whom as Lieutenant-Governor. The returns of every election for Governor and Lieutenant-Governor shall be sealed up and transmitted to the seat of government of the State, directed to the Speaker of the House of Representatives, who shall open and publish them in the presence of both houses of the General Assembly.

KANSAS.

1. I.

The executive department shall consist of a Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Attorney-General and Superintendent of Public Instruction, who shall be chosen by the electors of the State at the time and place of voting for members of the Legislature, and shall hold their offices for the term of two years from the second Monday in January next after their election, and until their successors are elected and qualified.

3. I.

The supreme executive power of this State shall be vested in a Governor, who shall see that the laws are faithfully executed.

KENTUCKY.

69.

The supreme executive power of

Executive Power, How Vested.

Sec. Art.

the Commonwealth shall be vested in a chief magistrate, who shall be styled the "Governor of the Commonwealth of Kentucky."

82.

A Lieutenant-Governor shall be chosen at every regular election for Governor, in the same manner, to continue in office for the same time, and possess the same qualifications as the Governor. He shall be ineligible to the office of Lieutenant-Governor for the succeeding four years after the expiration of the term for which he shall have been elected.

LOUISIANA.

Art. 58. The executive department shall consist of a Governor, Lieutenant-Governor, Auditor, Treasurer and Secretary of State.

59.

The supreme executive power of the State shall be vested in a chief magistrate, who shall be styled the Governor of Louisiana. He shall hold his office during four years, and, together with the Lieutenant-Governor, chosen for the same term, shall be elected as follows: The qualified electors for Representatives shall vote for a Governor and Lieutenant-Governor at the time and place of voting for Representatives.

The returns of every election for Governor and Lieutenant-Governor shall be sealed up separately from the returns of election of other officers and transmitted by the proper officer of every parish to the Secretary of State, who shall deliver them, unopened, to the General Assembly then next to be holden. The members of the General Assembly shall meet on the first Thursday after the day on

Sec. Art.

which they assemble, in the House of Representatives, to examine and count the votes. The person having the greatest number of votes for Governor shall be declared duly elected; but in case two or more persons shall be equal and the highest in number of votes polled for Governor, one of them shall be immediately chosen Governor by the joint vote of the members of the General Assembly. The person having the greatest number of votes for Lieutenant-Governor shall be Lieutenant-Governor; but if two or more persons shall be equal and highest in number of votes polled for Lieutenant-Governor, one of them shall be immediately chosen Lieutenant-Governor by joint vote of the members of the General Assembly.

MAINE.

1. V.

The supreme executive power of this State shall be vested in a Governor.

MARYLAND.

1. II.

The executive power of the State shall be vested in a Governor, whose term of office shall commence on the second Wednesday of January next ensuing his election, and continue for four years, and until his successor shall have qualified; but the Governor chosen at the first election under this Constitution shall not enter upon the discharge of the duties of the office until the expiration of the term for which the present incumbent was elected; unless the said office shall become vacant by death, resignation, removal from the State, or other disqualification of the said incumbent.

Executive Power, How Vested.

Sec. Art.

MASSACHUSETTS.

1.

There shall be a supreme executive magistrate, who shall be styled the Governor of the Commonwealth of Massachusetts; and whose title shall be, His Excellency.

Art. 1. There shall be annually elected a Lieutenant-Governor of the Commonwealth of Massachusetts, whose title shall be, His Honor; and who shall be qualified, in point of (religion), property and residence in the Commonwealth, in the same manner with the Governor; and the day and manner of his election, and the qualification of the electors shall be the same as are required in the election of a Governor. The return of the votes for this officer, and the declaration of his election, shall be in the same manner; (and if no one person shall be found to have a majority of all the votes returned, the vacancy shall be filled by the Senate and House of Representatives, in the same manner as the Governor is to be elected, in case no one person shall have a majority of the votes of the people to be Governor.) (See amendments, Arts. VII. and XXXIV. Election by plurality provided for by amendments, Art. XIV.)

MICHIGAN.

1. V.

The executive power is vested in a Governor, who shall hold his office for two years. A Lieutenant-Governor shall be elected for the same term.

5.

A Governor and Lieutenant-Governor shall be chosen under the existing Constitution and laws, to serve after the expiration of the term of the present incumbent.

Sec. Art.

MINNESOTA.

1. V.

The executive department shall consist of a Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer and Attorney-General, who shall be chosen by the electors of the State.

3. V.

The term of office for the Governor and Lieutenant-Governor shall be two years, and until their successors are chosen and qualified. Each shall have attained the age of twenty-five (25) years, and shall have been a bona fide resident of the State for one year next preceding his election. Both shall be citizens of the United States.

MISSISSIPPI.

116.

The chief executive power of this State shall be vested in the Governor, who shall hold his office for four years, and who shall be ineligible as his immediate successor in office.

MISSOURI.

1. V.

The executive department shall consist of a Governor, Lieutenant-Governor, Secretary of State, State Auditor, State Treasurer, Attorney-General and Superintendent of Public Schools, all of whom, except the Lieutenant-Governor, shall reside at the seat of government during their term of office, and keep the public records, books, and papers there, and shall perform such duties as may be prescribed by law.

2. V.

The term of office of the Governor, Lieutenant-Governor, Secretary of State, State Auditor, State Treasurer, Attorney-General and Superintendent of Public Schools shall be four years from the second Monday of January next after their election, and until

Executive Power, How Vested.

Sec. Art.

their successors are elected and qualified; and the Governor and State Treasurer shall be ineligible to re-election as their own successors. At the general election to be held in the year one thousand eight hundred and seventy-six, and every four years thereafter, all of such officers, except the Superintendent of Public Schools, shall be elected, and the Superintendent of Public Schools shall be elected at the general election in the year one thousand eight hundred and seventy-eight, and every four years thereafter.

4. V.

The supreme executive power shall be vested in a chief magistrate, who shall be styled "the Governor of the State of Missouri."

MONTANA.

1. VII.

The executive department shall consist of a Governor, Lieutenant-Governor, Secretary of State, Attorney-General, State Treasurer, State Auditor and Superintendent of Public Instruction, each of whom shall hold his office for four years, or until his successor is elected and qualified, beginning on the first Monday in January next succeeding his election, except that the terms of office of those who are elected at the first election shall begin when the State shall be admitted into the Union, and shall end on the first Monday of January, A. D. 1893. The officers of the executive department, excepting the Lieutenant-Governor, shall, during their terms of office, reside at the seat of government, where they shall keep the public records, books and papers. They shall perform such duties as are prescribed in this Constitution and by the laws of the State. The State Treas-

Sec. Art.

urer shall not be eligible to his office for the succeeding term.

5. VII.

The supreme executive power of the State shall be vested in the Governor, who shall see that the laws are faithfully executed.

NEBRASKA.

1. V.

The executive department shall consist of a Governor, Lieutenant-Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Superintendent of Public Instruction, Attorney-General, and Commissioner of Public Lands and Buildings, who shall each hold his office for the term of two years from the first Thursday after the first Tuesday in January next after his election, and until his successor is elected and qualified: Provided, However, that the first election of said officers shall be held on the first Tuesday succeeding the first Monday in November, 1876, and each succeeding election shall be held at the same relative time in each year thereafter. The Governor, Secretary of State, Auditor of Public Accounts and Treasurer shall reside at the seat of government during their terms of office, and keep the public records, books and papers there, and shall perform such duties as may be required by law.

6. V.

The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed.

NEVADA.

1. V.

The supreme executive power of this State shall be vested in a chief magistrate, who shall be Governor of the State of Nevada.

Executive Power, How Vested.

Sec. Art.

NEW HAMPSHIRE.**41. II.**

There shall be a supreme executive magistrate, who shall be styled Governor of the State of New Hampshire, and whose title shall be His Excellency.

NEW JERSEY.**1. V.**

The executive power shall be vested in a Governor.

NORTH CAROLINA.**1. III.**

The executive department shall consist of a Governor, in whom shall be vested the supreme executive power of the State, a Lieutenant-Governor, a Secretary of State, an Auditor, a Treasurer, a Superintendent of Public Instruction, and an Attorney-General, who shall be elected for a term of four years by the qualified electors of the State, at the same time and places and in the same manner as members of the General Assembly are elected. Their term of office shall commence on the first day of January next after their election, and continue until their successors are elected and qualified: Provided, That the officers first elected shall assume the duties of their office ten days after the approval of this Constitution by the Congress of the United States, and shall hold their offices four years from and after the first day of January.

NORTH DAKOTA.**71. III.**

The executive power shall be vested in a Governor, who shall reside at the seat of government, and shall hold his office for the term of two years, and until his successor is elected and duly qualified.

Sec. Art.

OHIO.**1. III.**

The executive department shall consist of a Governor, Lieutenant-Governor, Secretary of State, Auditor of State, Treasurer of State, and an Attorney-General, who shall be elected on the first Tuesday after the first Monday in November, by the electors of the State, and at the places of voting for members of the General Assembly.

5. III.

The supreme executive power of this State shall be vested in the Governor.

OREGON.**1. V.**

The chief executive power of the State shall be vested in a Governor, who shall hold his office for the term of four years; and no person shall be eligible to such office more than eight, in any period of twelve years.

7. V.

The official term of the Governor shall be four years, and shall commence at such times as may be provided by this Constitution or prescribed by law.

PENNSYLVANIA.**1. IV.**

The executive department of this Commonwealth shall consist of a Governor, Lieutenant-Governor, Secretary of the Commonwealth, Attorney-General, Auditor-General, State Treasurer, Secretary of Internal Affairs and a Superintendent of Public Instruction.

2. IV.

The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed; he shall be chosen on the day of the general election, by the qualified electors of the Commonwealth, at the

Executive Power, How Vested.

Sec. Art.

places where they shall vote for Representatives. The returns of every election for Governor shall be sealed up and transmitted to the seat of government, directed to the president of the Senate, who shall open and publish them in the presence of the members of both houses of the General Assembly. The person having the highest number of votes shall be Governor, but if two or more be equal and highest in votes, one of them shall be chosen Governor by the joint vote of the members of both houses. Contested elections shall be determined by a committee, to be selected from both houses of the General Assembly, and formed and regulated in such manner as shall be directed by law.

RHODE ISLAND.

1. VII.

The chief executive power of this State shall be vested in a Governor, who, together with a Lieutenant-Governor, shall be annually elected by the people.

SOUTH CAROLINA.

1. III.

The supreme executive authority of this State shall be vested in a chief magistrate, who shall be styled "The Governor of the State of South Carolina."

1. IV.

The Governor shall be elected by the electors duly qualified to vote for members of the House of Representatives, and shall hold his office for two years, and until his successor shall be chosen and qualified, and shall be re-eligible. He shall be elected at the first general election held under this Constitution for members of the General Assembly, and at each general election thereafter, and shall be installed

Sec. Art.

during the first session of the said General Assembly after his election, on such day as shall be provided for by law. The other State officers-elect shall at the same time enter upon the performance of their duties.

SOUTH DAKOTA.

1. IV.

The executive power shall be vested in a Governor, who shall hold his office for two years. A Lieutenant-Governor shall be elected at the same time and for the same term.

TENNESSEE.

1. III.

The supreme executive power of this State shall be vested in a Governor.

4. III.

The Governor shall hold his office for two years, and until his successor shall be elected and qualified. He shall not be eligible more than six years in any term of eight.

TEXAS.

1. IV.

The executive department of the State shall consist of a Governor, who shall be the chief executive officer of the State, a Lieutenant-Governor, Secretary of State, Comptroller of Public Accounts, Treasurer, Commissioner of the General Land Office and Attorney-General.

VERMONT.

1.

The Commonwealth of the State of Vermont shall be governed hereafter by a Governor (or Lieutenant-Governor), Council, and an Assembly of the Representatives of the freemen of the same, in manner and form following:

3.

The supreme executive power shall

Executive Power, How Vested.

Sec. Art.

be vested in a Governor, or, in his absence, a Lieutenant-Governor and Council.

10.

The Supreme Executive Council of this State shall consist of a Governor, Lieutenant-Governor and twelve persons chosen in the following manner, viz.: The free-men of each town shall, on the day of election for choosing Representatives to attend the General Assembly, bring in their votes for Governor, with his name fairly written, to the constable, who shall seal them up, and write on them, "Votes for the Governor," and deliver them to the Representative chosen to attend the General Assembly; and at the opening of the General Assembly there shall be a committee appointed out of the Council and Assembly, who, after being duly sworn to the faithful discharge of their trust, shall proceed to receive, sort and count the votes for the Governor, and declare the person who has the major part of the votes to be Governor for the year ensuing. And if there be no choice made, then the Council and General Assembly, by their joint ballot, shall make choice of a Governor. The Lieutenant-Governor and Treasurer shall be chosen in the same manner above directed. And each free-man shall give in twelve votes for twelve Counsellors, in the same manner, and the twelve highest in nomination shall serve for the ensuing year as Counsellors.

8.

The supreme executive power of the Senate shall be exercised by the Governor, or, in case of his absence or disability, by the Lieutenant-Governor; who shall have all the powers and perform all the duties vested in and en-

Sec. Art.

joined upon the Governor and Council, by the eleventh and and twenty-seventh sections of the second chapter of the Constitution, as at present established, excepting that he shall not sit as a judge in case of impeachment, nor grant reprieve or pardon in any such case; nor shall he command the forces of the State in person in time of war or insurrection, unless by the advice and consent of the Senate, and no longer than they shall approve of. The Governor may have a secretary of civil and military affairs, to be by him appointed during pleasure, whose services he may at all times command, and for whose compensation provision shall be made by law.

VIRGINIA.

1. IV.

The chief executive power of this Commonwealth shall be vested in a Governor. He shall hold office for a term of four years, to commence on the first day of January next succeeding his election, and be ineligible to the same office for the term next succeeding that for which he was elected, and to any other office during his term of service.

WASHINGTON.

2. III.

The supreme executive power of this State shall be vested in a Governor, who shall hold his office for the term of four years, and until his successor is elected and qualified.

WEST VIRGINIA.

1. VII.

The executive department shall consist of a Governor, Secretary of State, State Superintendent of Free Schools, Auditor, Treasurer, and Attorney-General, who shall be ex-officio Reporter of the

Executive Power, How Vested.

Sec. Art.

Court of Appeals. Their terms of office, respectively, shall be four years, and shall commence on the fourth day of March next after their election. They shall, except the Attorney-General, reside at the seat of government during their terms of office, and keep there the public records, books and papers pertaining to their respective offices, and shall perform such duties as may be prescribed by law.

5. VII.

The chief executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed.

Sec. Art.

WISCONSIN.

1. V.

The executive power shall be vested in a Governor, who shall hold his office for two years. A Lieutenant-Governor shall be elected at the same time, and for the same term.

WYOMING.

1. IV.

The executive power shall be vested in a Governor, who shall hold his office for the term of four (4) years, and until his successor is elected and duly qualified.

Qualifications of Governor.

Sec. Art.

preceding his election, a citizen of the United States and of this State. Neither the Governor, Lieutenant-Governor, Auditor of Public Accounts, Secretary of State, Superintendent of Public Instruction, nor Attorney-General shall be eligible to any other office during the period for which he shall have been elected.

INDIANA.

7. V.

No person shall be eligible to the office of Governor or Lieutenant-Governor who shall not have been five years a citizen of the United States, and also a resident of the State of Indiana during the five years next preceding his election; nor shall any person be eligible to either of the said offices who shall not have attained the age of thirty years.

IOWA.

6. IV.

No person shall be eligible to the office of Governor or Lieutenant-Governor who shall not have been a citizen of the United States and a resident of the State two years next preceding the election, and attained the age of thirty years at the time of said election.

KENTUCKY.

70.

He shall be elected for the term of four years by the qualified voters of the State. The person having the highest number of votes shall be Governor; but if two or more shall be equal and highest in votes, the election shall be determined by lot in such manner as the General Assembly may direct.

72.

He shall be at least thirty years of age, and have been a citizen

Sec. Art.

and resident of Kentucky for at least six years next preceding his election.

LOUISIANA.

60.

No person shall be eligible to the office of Governor or Lieutenant-Governor who shall not have attained the age of thirty years, been ten years a citizen of the United States, and resident of the State for the same space of time next preceding his election, or who shall be a member of Congress or shall hold office under the United States at the time of, or within six months immediately preceding the election for such office.

MAINE.

2. V.

The Governor shall be elected by the qualified electors, and shall hold his office one year from the first Wednesday of January in each year.

3. V.

The meetings for election of Governor shall be notified, held, and regulated, and the votes shall be received, sorted, counted, declared and recorded, in the same manner as those for Senators and Representatives. They shall be sealed and returned into the secretary's office in the same manner, and at the same time as those for Senators. And the Secretary of State for the time being shall, on the first Wednesday of January, then next, lay the lists before the Senate and House of Representatives, and also the lists of votes of citizens in the military service returned into the secretary's office, to be by them examined, and, in case of a choice by a majority of all the votes returned, they shall de-

Qualifications of Governor.

Sec. Art.

clare and publish the same. But if no person shall have a majority of the votes, the House of Representatives shall, by ballot, from the persons having the four highest numbers of votes on the lists, if so many there be, elect two persons and make return of their names to the Senate, of whom the Senate shall, by ballot, elect one, who shall be declared Governor.

4. V.

The Governor shall, at the commencement of his term, be not less than thirty years of age; a natural born citizen of the United States, have been for five years, or from the adoption of this Constitution, a resident of the State; and at the time of his election, and during the term for which he is elected, be a resident of said State.

MARYLAND.

5. II.

A person to be eligible to the office of Governor must have attained the age of thirty years, and must have been for ten years a citizen of the State of Maryland, and for five years next preceding his election, a resident of the State, and, at the time of his election, a qualified voter therein.

MASSACHUSETTS.

11. II.

The Governor shall be chosen annually; and no person shall be eligible to this office, unless, at the time of his election, he shall have been an inhabitant of this Commonwealth for seven years next preceding; (and unless he shall at the same time be seized, in his own right, of a freehold, within the Commonwealth, of the value of one thousand pounds); (and unless

Sec. Art.

he shall declare himself to be of the Christian religion). (See amendments, Arts. VII and XXXIV.)

7.

No oath, declaration, or subscription, excepting the oath prescribed in the preceding article, and the oath of office, shall be required of the Governor, Lieutenant-Governor, Councillors, Senators, or Representatives, to qualify them to perform the duties of their respective offices.

34.

So much of article two of section one of chapter two of part the second of the Constitution of the Commonwealth as is contained in the following words, "and unless he shall at the same time, be seized in his own right, of a freehold within the Commonwealth of the value of one thousand pounds," is hereby annulled.

MICHIGAN.

2. V.

No person shall be eligible to the office of Governor or Lieutenant-Governor who has not been five years a citizen of the United States, and a resident of this State two years next preceding his election; nor shall any person be eligible to either office who has not attained the age of thirty years.

MISSISSIPPI.

117. V.

The Governor shall be at least thirty years of age, and shall have been a citizen of the United States twenty years, and shall have resided in this State five years next preceding the day of his election.

141. V.

If no person shall receive such

Qualifications of Governor.

Sec. Art.

majorities, then the House of Representatives shall proceed to choose a Governor from the two persons who shall have received the highest number of popular votes; the election shall be by viva voce vote, which shall be recorded in the journal, in such manner as to show for whom each member voted.

MISSOURI.**5. V.**

The Governor shall be at least thirty-five years old, a male, and shall have been a citizen of the United States ten years, and a resident of this State seven years next before his election.

MONTANA.**8. VII.**

No person shall be eligible to the office of Governor, Lieutenant-Governor, or Superintendent of Public Instruction, unless he shall have attained the age of thirty years at the time of his election, nor to the office of Secretary of State, State Auditor, or State Treasurer, unless he shall have attained the age of twenty-five years, nor to the office of Attorney-General unless he shall have attained the age of thirty years, and have been admitted to practice in the Supreme Court of the State, or Territory of Montana, and be in good standing at the time of his election. In addition to the qualifications above prescribed, each of the officers named shall be a citizen of the United States, and have resided within the State or Territory two years next preceding his election.

NEBRASKA.**2. V.**

No person shall be eligible to the office of Governor or Lieutenant-

Sec. Art.

Governor who shall not have attained to the age of thirty years, and been for two years next preceding his election a citizen of the United States and of this State. None of the officers of the executive department shall be eligible to any other State office during the period for which they shall have been elected.

NEVADA.**3. V.**

No person shall be eligible to the office of Governor who is not a qualified elector, and who, at the time of such election, has not attained the age of twenty-five years, and who, except at the first election under the Constitution, shall not have been a citizen resident of this State for two years next preceding the election.

NEW JERSEY.**4. V.**

The Governor shall be not less than thirty years of age, and shall have been for twenty years, at least, a citizen of the United States, and a resident of this State seven years next before his election, unless he shall have been absent during that time on the public business of the United States or of this State.

NORTH CAROLINA.**2. III.**

No person shall be eligible as Governor or Lieutenant-Governor unless he shall have attained the age of thirty years, shall have been a citizen of the United States five years, and shall have been a resident of this State for two years next before the election; nor shall the person elected to either of these two offices be eligible to the same office more than four years in any term of

Qualifications of Governor.

Sec. Art.

eight years, unless the office shall have been cast upon him as Lieutenant-Governor or President of the Senate.

NORTH DAKOTA.**73. III.**

No person shall be eligible to the office of Governor or Lieutenant-Governor unless he be a citizen of the United States and a qualified elector of the State, who shall have attained the age of thirty years, and who shall have resided five years next preceding the election within the State or Territory, nor shall he be eligible to any other office during the term for which he shall have been elected.

OREGON.**2. V.**

No person, except a citizen of the United States, shall be eligible to the office of Governor, nor shall any person be eligible to that office who shall not have attained the age of thirty years, and who shall not have been three years next preceding his election a resident within this State.

4. V.

The Governor shall be elected by the qualified electors of the State at the times and places of choosing members of the Legislative Assembly, and the returns of every election for Governor shall be sealed up and transmitted to the Secretary of State, directed to the Speaker of the House of Representatives, who shall open and publish them in the presence of both houses of the Legislative Assembly.

5. V.

The person having the highest number of votes for Governor shall be elected; but in case two

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or more persons shall have an equal, and the highest number of votes for Governor, the two houses of the Legislative Assembly, at the next regular session thereof, shall forthwith, by joint vote, proceed to elect one of the said persons Governor.

PENNSYLVANIA.**5. IV.**

No person shall be eligible to the office of Governor or Lieutenant-Governor except a citizen of the United States, who shall have attained the age of thirty years, and have been seven years next preceding his election an inhabitant of the State, unless he shall have been absent on the public business of the United States or of this State.

6. IV.

No member of Congress or person holding any office under the United States or this State shall exercise the office of Governor or Lieutenant-Governor.

RHODE ISLAND.**7. VIII.**

If no person shall have a majority of votes for Governor, it shall be the duty of the grand committee to elect one by ballot from the two persons having the highest number of votes for the office, except when such a result is produced by rejecting the entire vote of any town, city or ward for informality or illegality, in which case a new election by the electors throughout the State shall be ordered; and in case no person shall have a majority of votes for Lieutenant-Governor, it shall be the duty of the grand committee to elect one by ballot from the two persons having the highest number of votes for the office.

Qualifications of Governor.

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SOUTH CAROLINA.**8. III.**

No person shall be eligible to the office of Governor who denies the existence of the Supreme Being, or who at the time of such election has not attained the age of thirty years, and who, except at the first election under this Constitution, shall not have been a citizen of the United States and a citizen and resident of this State for two years next preceding the day of election. No person while Governor shall hold any office or other commission (except in the militia) under this State, or any other power, at one and the same time.

SOUTH DAKOTA.**2. IV.**

No person shall be eligible to the office of Governor or Lieutenant-Governor except a citizen of the United States, and a qualified elector of the State, who shall have attained the age of thirty years, and who shall have resided two years next preceding the election within the State or Territory; nor shall he be eligible to any other office during the term for which he shall have been elected.

TENNESSEE.**3. III.**

He shall be at least thirty years of age, shall be a citizen of the United States, and shall have been a citizen of this State seven years next before his election.

TEXAS.**4. IV.**

The Governor shall be installed on the first Tuesday after the organization of the Legislature, or as soon thereafter as practicable, and shall hold his office for the term of two years, or until his successor shall be duly installed. He shall be at least

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thirty years of age, a citizen of the United States, and shall have resided in this State at least five years immediately preceding his election.

VERMONT.**30.**

No person shall be eligible to the office of Governor or Lieutenant-Governor until he shall have resided in this State four years next preceding the day of his election.

VIRGINIA.**3. IV.**

No person except a citizen of the United States shall be eligible to the office of Governor; and if such person be of foreign birth, he must have been a citizen of the United States for ten years next preceding his election; nor shall any person be eligible to that office unless he shall have attained the age of thirty years, and have been a resident of this State for three years next preceding his election.

WEST VIRGINIA.**4. IV.**

No person, except citizens entitled to vote, shall be elected or appointed to any State, county or municipal office; but the Governor and Judges must have attained the age of thirty, and the Attorney-General and Senators the age of twenty-five years, at the beginning of their respective terms of service, and must have been citizens of the State for five years next preceding their election or appointment, or to be citizens at the time this Constitution goes into operation.

WISCONSIN.**2. V.**

No person, except a citizen of the United States and a qualified elector of the State, shall be eli-

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gible to the office of Governor or Lieutenant-Governor.

WYOMING.**2. IV.**

No person shall be eligible to the office of Governor unless he be a citizen of the United States and a qualified elector of the State, who has attained the age of thirty years, and who has resided five years next preceding the election within the State or Territory, nor shall he be eligible to any other office during the term for which he was elected.

3. IV.

The Governor shall be elected by

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the qualified electors of the State at the time and place of choosing members of the Legislature. The person having the highest number of votes for Governor shall be declared elected, but if two or more shall have an equal and highest number of votes for Governor, the two houses of the Legislature, at its next regular session, shall forthwith, by joint ballot, choose one of such persons for said office. The returns of the election for Governor shall be made in such manner as shall be prescribed by law.

Election of Governor and Lieutenant-Governor.

ELECTION OF GOVERNOR AND LIEUTENANT-GOVERNOR.

1 Sec. 3. The Governor and Lieutenant-Governor shall
 2 be elected at the times and places of choosing members of the
 3 Assembly. The persons respectively having the highest num-
 4 ber of votes for Governor and Lieutenant-Governor shall be
 5 elected; but in case two or more shall have an equal and the
 6 highest number of votes for Governor, or for Lieutenant-
 7 Governor, the two houses of the Legislature at its next annual
 8 session shall forthwith, by joint ballot choose one of the said
 9 persons so having an equal and the highest number of votes
 10 for Governor or Lieutenant-Governor.

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ARKANSAS.

3. VI.

The Governor, Secretary of State, Treasurer of State, Auditor of State and Attorney-General shall be elected by the qualified electors of the State at large, at the time and places of voting for members of the General Assembly; the returns of each election therefor shall be sealed up separately, and transmitted to the seat of government by the returning officers, and directed to the speaker of the House of Representatives, who shall during the first week of the session open and publish the votes cast and given for each of the respective officers hereinbefore mentioned, in the presence of both houses of the General Assembly. The person having the highest number of votes for each of the respec-

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tive offices shall be declared duly elected thereto; but if two or more shall be equal, and highest in votes for the same office, one of them shall be chosen by the joint vote of both houses of the General Assembly, and a majority of all the members elected shall be necessary to a choice.

4. VI.

Contested elections for Governor, Secretary of State, Treasurer of State, Auditor of State and Attorney-General shall be determined by the members of both houses of the General Assembly in joint session, who shall have exclusive jurisdiction in trying and determining the same, except as hereinafter provided in the case of special elections; and all such contests shall be tried and determined at the first session of the General Assembly

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after the election in which the same shall have arisen.

CALIFORNIA.**2. V.**

The Governor shall be elected by the qualified electors at the time and places of voting for members of the Assembly, and shall hold his office four years from and after the first Monday after the first day of January subsequent to his election, and until his successor is elected and qualified.

4. V.

The returns of every election for Governor shall be sealed up and transmitted to the seat of government, directed to the speaker of the Assembly, who shall, during the first week of the session, open and publish them in the presence of both houses of the Legislature. The person having the highest number of votes shall be Governor; but in case any two or more have an equal and the highest number of votes, the Legislature shall, by joint vote of both houses, choose one of such persons so having an equal and the highest number of votes for Governor.

CONNECTICUT.**2. IV.**

At the meetings of the electors in the respective towns, in the month of April in each year (made to apply to biennial elections by amendment of 1876), immediately after the election of Senators, the presiding officers shall call upon the electors to bring in their ballots for him whom they would elect to be Governor, with his name fairly written. When such ballots shall have been received and counted in the presence of the electors, duplicate lists of the persons

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voted for, and of the number of votes given for each, shall be made and certified by the presiding officer, one of which lists shall be deposited in the office of the town clerk within three days, and the other within ten days, after said election, shall be transmitted to the Secretary, or to the sheriff of the county in which such election shall have been held. The sheriff receiving said votes shall deliver or cause them to be delivered, to the Secretary within fifteen days next after said election. The votes so returned shall be counted by the Treasurer, Secretary and Comptroller, within the month of April. A fair list of the persons and number of votes given for each, together with the returns of the presiding officers, shall be, by the Treasurer, Secretary and Comptroller, made and laid before the General Assembly, then next to be holden, on the first day of the session thereof; and said Assembly shall, after examination of the same, declare the person whom they shall find to be legally chosen, and give him notice accordingly. If no person shall have a majority of the whole number of said votes, or if two or more shall have an equal and the greatest number of said votes, then said Assembly, on the second day of their session, by joint ballot of both houses, shall proceed, without debate, to choose a Governor from a list of the names of the two persons having the greatest number of votes, or of the names of the persons having an equal and highest number of votes so returned as aforesaid. The General Assembly shall by law prescribe the manner in which all questions concerning the

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election of a Governor or Lieutenant-Governor, shall be determined.

1.

A general election for Governor, Lieutenant-Governor, Secretary, Treasurer, Comptroller and members of the General Assembly shall be held on the Tuesday after the first Monday of November, 1886, and biennially thereafter for such officers as are herein and may be hereafter prescribed.

DELAWARE.

2. III.

The Governor shall be chosen by the citizens of the State. The returns of every election for Governor shall be sealed up and immediately delivered by the returning officers of the several counties to the speaker of the Senate, or in case of the vacancy of the office of the speaker of the Senate, or his absence from the State, to the Secretary of State, who shall keep the same until a speaker of the Senate shall be appointed to whom they shall be immediately delivered after his appointment, who shall open and publish the same in the presence of the members of both houses of the Legislature. Duplicates of the said returns shall also be immediately lodged with the prothonotary of each county. The person having the highest number of votes shall be Governor; but if two or more shall be equal in the highest number of votes, the members of the two houses shall, by joint ballot, choose one of them to be Governor; and if, upon such ballot, two or more of them shall still be equal and highest in votes, the speaker of the Senate shall have an additional casting vote.

Contested elections of a Governor shall be determined by a joint

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committee, consisting of one-third of all the members of each branch of the Legislature, to be selected by ballot of the houses respectively; every person of the committee shall take an oath of affirmation, that in determining the said election, he will faithfully discharge the trust imposed in him; and the committee shall always sit with open doors.

FLORIDA.

2. IV.

The Governor shall be elected by the qualified electors of the State at the time and places for voting for members of the Legislature, and shall hold his office for four years from the time of his installation, but shall not be eligible for re-election, to said office the next succeeding term: Provided, That the first election for Governor under this Constitution shall be had at the time and places of voting for members of the Legislature and State officers, A. D. 1888, and the term of office of the Governor then elected shall begin on the first Tuesday after the first Monday in January after his election.

GEORGIA.

1. V.

Par. IV. The returns for every election of Governor shall be sealed up by the managers, separately from other returns, and directed to the President of the Senate and Speaker of the House of Representatives, and transmitted to the Secretary of State, who shall, without opening said returns, cause the same to be laid before the Senate on the day after the two houses shall have been organized, and they shall be transmitted by the Senate to the House of Representatives.

1. V.

Par. V. The members of each

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branch of the General Assembly shall convene in the Representative Hall, and the President of the Senate and Speaker of the House of Representatives shall open and publish the returns in the presence and under the direction of the General Assembly; and the person having the majority of the whole number of votes shall be declared duly elected Governor of this State; but if no person shall have such majority, then from the two persons having the highest number of votes who shall be in life, and shall not decline an election at the time appointed by the General Assembly to elect, the General Assembly shall immediately elect a Governor viva voce; and in all cases of election of a Governor by the General Assembly a majority of the members present shall be necessary to a choice.

IDAHO.**2. IV.**

The officers named in section one of this article shall be elected by the qualified electors of the State at the time and places of voting for members of the Legislature, and the persons, respectively, having the highest number of votes for the office voted for shall be elected; but if two or more shall have an equal and the highest number of votes for any one of said offices, the two houses of the Legislature, at its next regular session, shall forthwith, by joint ballot, elect one of such persons for said office. The returns of election for the officers named in section one shall be made in such manner as may be prescribed by law, and all contested elections of the same, other than provided for in this section, shall be determined as may be prescribed by law.

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ILLINOIS.**3. V.**

An election for Governor, Lieutenant-Governor, Secretary of State, Auditor of Public Accounts and Attorney-General shall be held on the Tuesday next after the first Monday of November, in the year of our Lord one thousand eight hundred and seventy-two, and every four years thereafter; for Superintendent of Public Instruction, on the Tuesday next after the first Monday of November in the year one thousand eight hundred and seventy, and every four years thereafter; and for Treasurer, on the day last above mentioned, and every two years thereafter, at such places and in such manner as may be prescribed by law.

INDIANA.**3. V.**

The Governor and Lieutenant-Governor shall be elected at the times and places of choosing members of the General Assembly.

4. V.

In voting for Governor and Lieutenant-Governor the electors shall designate for whom they vote as Governor, and for whom as Lieutenant-Governor. The returns of every election of Governor and Lieutenant-Governor shall be sealed up and transmitted to the seat of government, directed to the speaker of the House of Representatives, who shall open and publish them in the presence of both houses of the General Assembly.

5. V.

The persons, respectively, having the highest number of votes for Governor and Lieutenant-Governor, shall be elected; but in case two or more persons shall have an equal and the highest number

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of votes for either office, the General Assembly shall, by joint vote, forthwith proceed to elect one of the said persons Governor or Lieutenant-Governor, as the case may be.

6. V.

Contested elections for Governor or Lieutenant-Governor shall be determined by the General Assembly, in such manner as may be prescribed by law.

IOWA.

2. IV.

The Governor shall be elected by the qualified electors at the time and places of voting for members of the General Assembly, and shall hold his office two years from the time of his installation, and until his successor is elected and qualified.

4. IV.

The persons respectively having the highest number of votes for Governor and Lieutenant-Governor shall be declared duly elected; but in case two or more persons shall have an equal and the highest number of votes for either office, the General Assembly shall, by joint vote, forthwith proceed to elect one of said persons Governor, or Lieutenant-Governor, as the case may be.

5. V.

Contested elections for Governor or Lieutenant-Governor shall be determined by the General Assembly, in such manner as may be prescribed by law.

KENTUCKY.

90.

Contested elections for Governor and Lieutenant-Governor shall be determined by both houses of the General Assembly, according to such regulations as may be established by law.

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95.

The election under this Constitution for Governor, Lieutenant-Governor, Treasurer, Auditor of Public Accounts, Register of the Land Office, Attorney-General, Secretary of State, Superintendent of Public Instruction, and Commissioner of Agriculture, Labor and Statistics, shall be held on the first Tuesday after the first Monday in November, eighteen hundred and ninety-five, and the same day every four years thereafter.

MAINE.

XXIV.

The Constitution shall be amended, in the third section of the first part of article five, by striking out the word "majority," wherever it occurs therein, and inserting in place thereof the word "plurality."

MARYLAND.

2. II.

An election for Governor, under this Constitution, shall be held on the Tuesday next after the first Monday of November, in the year eighteen hundred and sixty-seven, and on the same day and month in every fourth year thereafter, at the places of voting for Delegates to the General Assembly; and every person qualified to vote for Delegates shall be qualified and entitled to vote for Governor; the election to be held in the same manner as the election of Delegates, and the returns thereof, under seal, to be addressed to the speaker of the House of Delegates, and enclosed and transmitted to the Secretary of State, and delivered to said speaker at the commencement of the session of the General Assembly, next ensuing said election.

3. II.

The Speaker of the House of Dele-

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gates shall then open the said returns, in the presence of both houses; and the person having the highest number of votes, and being constitutionally eligible, shall be the Governor, and shall qualify, in the manner herein prescribed, on the second Wednesday of January next ensuing his election, or as soon thereafter as may be practicable.

4. II.

If two or more persons shall have the highest and an equal number of votes for Governor, one of them shall be chosen Governor by the Senate and House of Delegates; and all questions in relation to the eligibility of Governor, and to the returns of said election, and to the number and legality of votes therein given, shall be determined by the House of Delegates; and if the person or persons having the highest number of votes be ineligible, the Governor shall be chosen by the Senate and House of Delegates. Every election of Governor by the General Assembly shall be determined by a joint majority of the Senate and House of Delegates; and the vote shall be taken viva voce. But if two or more persons shall have the highest and equal number of votes, then a second vote shall be taken, which shall be confined to the persons having an equal number; and if the vote should again be equal, then the election of Governor shall be determined by lot between those who shall have the highest and an equal number on the first vote.

MASSACHUSETTS.

Art. III. Those persons who shall be qualified to vote for Senators and Representatives within the several towns of this Common-

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wealth shall, at a meeting to be called for that purpose, on the first Monday of April annually, give in their votes for a Governor to the selectmen, who shall preside at such meetings; and the town clerk, in the presence and with the assistance of the selectmen, shall, in open town meeting, sort and count the votes, and form a list of the persons voted for, with the number of votes for each person against his name; and shall make a fair record of the same in the town books, and a public declaration thereof in the said town meeting; and shall, in the presence of the inhabitants, seal up copies of the said list, attested by him and the selectmen, and transmit the same to the sheriff of the county thirty days at least before the (last Wednesday in May); and the sheriff shall transmit the same to the Secretary's office seventeen days at least before the said (last Wednesday in May); or the selectmen may cause the returns of the same to be made to the office of the Secretary of the Commonwealth seventeen days at least before the said day; and the Secretary shall lay the same before the Senate and the House of Representatives on the (last Wednesday in May), to be by them examined; and (in case of an election by a majority of all the votes returned), the choice shall be by them declared and published; (but if no person shall have a majority of votes, the House of Representatives shall, by ballot, elect two out of four persons who had the highest number of votes, if so many shall have been voted for; but, if otherwise out of the number voted for; and make return to the Senate of the two

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persons so elected; on which the Senate shall proceed, by ballot, to elect one, who shall be declared Governor.) (Time of election changed by amendments, Art. X. Changed again by amendments Art. XV. As to cities, see amendments, Art. II. Time changed the first Wednesday of January by amendments, Art. X. Majority changed to plurality by amendments, Art. XIV.)

MICHIGAN.**3. V.**

The Governor and Lieutenant-Governor shall be elected at the times and places of choosing the members of the Legislature. The person having the highest number of votes for Governor or Lieutenant-Governor shall be elected. In case two or more persons shall have an equal and the highest number of votes for Governor or Lieutenant-Governor, the Legislature shall, by joint vote, choose one of such persons.

5. VIII.

In case two or more persons have an equal and the highest number of votes for any office, as canvassed by the board of State canvassers, the Legislature in joint convention shall choose one of said persons to fill such office. When the determination of the board of State canvassers is contested, the Legislature in joint convention shall decide which person is elected.

XXIV.

The term of office of the Governor and Lieutenant-Governor shall commence on the first day of January next after their election.

MISSISSIPPI.**128. V.**

There shall be a Lieutenant-Governor, who shall be elected at

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the same time, in the same manner, and for the same term, and who shall possess the same qualifications as required of the Governor.

132. V.

In case the election for Lieutenant-Governor shall be contested, the contest shall be tried and determined in the same manner as a contest for the office of Governor.

140. V.

The Governor of the State shall be chosen in the following manner: On the first Tuesday after the first Monday of November of A. D. eighteen hundred and ninety-five, and on the first Tuesday after first Monday of November in every fourth year thereafter, until the day shall be changed by law, an election shall be held in the several counties and districts created for the election of members of the House of Representatives in this State, for Governor, and the person receiving in any county or such legislative district the highest number of votes cast therein, for said office shall be holden to have received as many votes as such county or district is entitled to members in the House of Representatives, which last named votes are hereby designated "electoral votes." In all cases where a representative is apportioned to two or more counties or districts the electoral vote based on such representatives shall be equally divided among such counties or districts. The returns of said election shall be certified by the election commissioners, or a majority of them, of the several counties, and transmitted, sealed, to the seat of government, directed to the Secretary of State, and shall be by him safely kept and delivered.

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ered to the Speaker of the House of Representatives at the next ensuing session of the Legislature within one day after he shall have been elected. The Speaker shall, on the next Tuesday after he shall have received said returns, open and publish them in the presence of the House of Representatives, and said House shall ascertain and count the vote of each county and legislative district and decide any contest that may be made concerning the same, and said decision shall be made by a majority of the whole number of members of the House of Representatives concurring therein, by a viva voce vote, which shall be recorded in its journal: Provided, in case the two highest candidates have an equal number of votes in any county or legislative district, the electoral vote of such county or legislative district shall be considered as equally divided between them. The person found to have received a majority of all the electoral votes, and also a majority of the popular vote, shall be declared elected.

MISSOURI.**3. V.**

The returns of every election for the above named officers shall be sealed up and transmitted by the returning officers to the Secretary of State, directed to the Speaker of the House of Representatives, who shall, immediately after the organization of the House, and before proceeding to other business, open and publish the same in the presence of a majority of each house of the General Assembly, who shall for that purpose assemble in the hall of the House of Representatives. The person having the highest number of

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votes for either of said offices shall be declared duly elected; but if two or more shall have an equal and the highest number of votes, the General Assembly shall, by joint vote, choose one of such persons for said office.

MONTANA.**2. II.**

The officers provided for in section one of this article shall be elected by the qualified electors of the State at the time and place of voting for members of the Legislative Assembly, and the persons respectively having the highest number of votes for the office voted for shall be elected; but if two or more shall have an equal and the highest number of votes for any one of said offices, the two houses of the Legislative Assembly, at its next regular session, shall forthwith by joint ballot elect one of such persons for said office. The returns of election for the officers named in section one shall be made in such manner as may be prescribed by law, and all contested elections of the same, other than provided for in this section, shall be determined as may be prescribed by law.

NEBRASKA.**4. V.**

The returns of every election for the officers of the executive department shall be sealed up and transmitted by the returning officers to the Secretary of State, directed to the Speaker of the House of Representatives, who shall, immediately after the organization of the House, and before proceeding to other business, open and publish the same in the presence of a majority of each house of the Legislature, who shall, for that purpose, assemble in the hall of the House

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of Representatives. The person having the highest number of votes for either of said offices shall be declared duly elected; but if two or more have an equal and the highest number of votes, the Legislature shall, by joint vote, choose one of such persons for said office. Contested elections for all of said offices shall be determined by both houses of the Legislature, by joint vote, in such manner as may be prescribed by law.

NEVADA.

2. V.

The Governor shall be elected by the qualified electors at the time and places of voting for members of the Legislature, and shall hold his office for four years from the time of his installation, and until his successor shall be qualified.

4. V.

The returns of every election for Governor, and other State officers voted for at the general election shall be sealed up and transmitted to the seat of government directed to the Secretary of State; and on the third Monday of December succeeding such election, the chief justice of the Supreme Court, and the associate justices, or a majority thereof, shall meet at the office of the Secretary of State and open and canvass the election returns for Governor and all other State officers, and forthwith declare the result and publish the names of the persons elected. The persons having the highest number of votes for the respective offices shall be declared elected; but in case any two or more have an equal and the highest number of votes for the same office, the Legislature shall, by joint vote of

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both Houses, elect one of said persons to fill said office.

18. XVII.

The Governor, Lieutenant-Governor, Secretary of State, State Treasurer, State Controller, Attorney-General, Surveyor-General, Clerk of the Supreme Court, and Superintendent of Public Instruction, to be elected at the first election under this Constitution, shall each qualify and enter upon the duties of their respective offices on the first Monday of December succeeding their election, and shall continue in office until the first Tuesday after the first Monday of January, A. D. eighteen hundred and sixty-seven, and until the election and qualification of their successors respectively.

NEW HAMPSHIRE.

32.

The meetings for the choice of Governor, Council, and Senators shall be warned by warrant from the selectmen, and governed by a moderator, who shall, in the presence of the selectmen (whose duty it shall be to attend), in open meeting, receive the votes of all the inhabitants of such towns and parishes present and qualified to vote for Senators; and shall, in said meetings, in presence of the said selectmen and of the town clerk in said meetings, sort and count the said votes, and make a public declaration thereof, with the name of every person voted for and the number of votes for each person; and the town clerk shall make a fair record of the same, at large, in the town book, and shall make out a fair attested copy thereof, to be by him sealed up and directed to the Secretary of the State, with a superscription expressing the purport thereof; and the said

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town clerk shall cause such attested copy to be delivered to the sheriff of the county in which said town or parish shall lie thirty days, at least, before the first Wednesday of (January), or to the Secretary of the State at least twenty days before the said first Wednesday of (January); and the sheriff of each county or his deputy shall deliver all such certificates by him received into the secretary's office at least twenty days before the first Wednesday of (January).

42.

The Governor shall be chosen biennially, in the month of November, and the votes for Governor shall be received, sorted, counted, certified, and returned in the same manner as the votes for Senator; and the secretary shall lay the same before the Senate and House of Representatives on the first Wednesday of (January), to be by them examined; and in case of an election by a majority of votes through the State, the choice shall be by them declared and published; and the qualifications of electors of the Governor shall be the same as those of Senators; and, if no person shall have a majority of votes, the Senate and House of Representatives shall, by a joint ballot, elect one of the two persons having the highest number of votes, who shall be declared Governor. And no person shall be eligible to this office unless, at the time of his election, he shall have been an inhabitant of this State for seven years next preceding, and unless he shall be of the age of thirty years.

NEW JERSEY.

2. V.

The Governor shall be elected by

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the legal voters of this State. The person having the highest number of votes shall be the Governor; but if two or more shall be equal and the highest in votes, one of them shall be chosen Governor by the vote of a majority of the members of both houses in joint meeting. Contested elections for the office of Governor shall be determined in such manner as the Legislature shall direct by law. When a Governor is to be elected by the people, such election shall be held at the time when and at the places where the people shall respectively vote for members of the Legislature.

NORTH CAROLINA.

3. III.

The return of every election for officers of the executive department shall be sealed up and transmitted to the seat of government by the returning officers, directed to the Speaker of the House of Representatives, who shall open and publish the same in the presence of a majority of the members of both houses of the General Assembly. The person having the highest number of votes respectively, shall be declared duly elected; but if two or more be equal and highest in votes for the same office, then one of them shall be chosen by joint ballot of both houses of the General Assembly. Contested elections shall be determined by a joint ballot of both houses of the General Assembly in such manner as shall be prescribed by law.

NORTH DAKOTA.

74. III.

The Governor and Lieutenant-Governor shall be elected by the qualified electors of the State at the time and places of choosing

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members of the Legislative Assembly. The persons having the highest number of votes for Governor and Lieutenant-Governor, respectively, shall be declared elected, but if two or more shall have an equal and highest number of votes for Governor and Lieutenant-Governor, the two houses of the legislative assembly, at its next regular session, shall forthwith, by joint ballot, choose one of such persons for said office. The returns of the election for Governor and Lieutenant-Governor shall be made in such manner as shall be prescribed by law.

OHIO.

3. III.

The returns of every election for the officers named in the foregoing section shall be sealed up and transmitted to the seat of government, by the returning officers, directed to the president of the Senate, who, during the first week of the session, shall open and publish them, and declare the result. In the presence of a majority of the members of each house of the General Assembly. The person having the highest number of votes shall be declared duly elected; but if any two or more shall be highest, and equal in votes for the same office, one of them shall be chosen by the joint vote of both houses.

OREGON.

6. V.

Contested elections for Governor shall be determined by the Legislative Assembly in such manner as may be prescribed by law.

RHODE ISLAND.

3. VIII.

The names of the persons voted for as Governor, Lieutenant-

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Governor, Secretary of State, Attorney-General and General Treasurer shall be placed upon one ticket; and all votes for these officers shall, in open town or ward meetings, be sealed up by the moderators and town clerks and by the wardens and ward clerks, who shall certify the same and deliver or send them to the Secretary of State; whose duty it shall be securely to keep and deliver the same to the grand committee, after the organization of the two houses at the annual May session; and it shall be the duty of the two houses at said session, after their organization, upon the request of either house, to join in grand committee, for the purpose of counting and declaring said votes, and of electing other officers.

SOUTH CAROLINA.

4. III.

The returns of every election of Governor shall be sealed up by the managers of elections in their respective counties and transmitted by mail to the seat of government, directed to the Secretary of State, who shall deliver them to the Speaker of the House of Representatives at the next ensuing session of the General Assembly, and a duplicate of said returns shall be filed with the clerks of the courts of said counties, whose duty it shall be to forward to the Secretary of State a certified copy thereof upon being notified that the returns previously forwarded by mail have not been received at his office. It shall be the duty of the Secretary of State, after the expiration of seven days from the day upon which the votes have been counted, if the returns thereof from any

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county have not been received, to notify the clerk of the court of said county and order a copy of the returns filed in his office to be forwarded forthwith. The Secretary of State shall deliver the returns to the Speaker of the House of Representatives at the next ensuing session of the General Assembly, and during the first week of the session, or as soon as the General Assembly shall have organized by the election of the presiding officers of the two houses, the Speaker shall open and publish them in the presence of both houses. The person having the highest number of votes shall be Governor; but if two or more shall be equal and highest in votes, the General Assembly shall, during the same session, in the House of Representatives, choose one of them *viva voce*. Contested elections for Governor shall be determined by the General Assembly in such manner as shall be prescribed by law.

SOUTH DAKOTA.

3. IV.

The Governor and Lieutenant-Governor shall be elected by the qualified electors of the State at the time and places of choosing members of the Legislature. The persons respectively having the highest number of votes for Governor and Lieutenant-Governor shall be elected; but if two or more shall have an equal and highest number of votes for Governor or Lieutenant-Governor, the two houses of the Legislature, at its next regular session, shall forthwith, by joint ballot, choose one of such persons for said office. The returns of the election for Governor and Lieutenant-Governor shall be

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made in such manner as shall be prescribed by law.

TENNESSEE.

2. III.

The Governor shall be chosen by the electors of the members of the General Assembly, at the time and places where they shall respectively vote for the members thereof. The returns of every election for Governor shall be sealed up and transmitted to the seat of government by the returning officers, directed to the Speaker of the Senate, who shall open and publish them in the presence of a majority of the members of each house of the General Assembly. The person having the highest number of votes shall be Governor, but if two or more shall be equal and highest in votes, one of them shall be chosen Governor by joint vote of both houses of the General Assembly. Contested elections for Governor shall be determined by both houses of the General Assembly, in such manner as shall be prescribed by law.

TEXAS.

3. IV.

The returns of every election for said executive officers, until otherwise provided by law, shall be made out, sealed up and transmitted by the returning officers prescribed by law to the seat of government, directed to the Secretary of State, who shall deliver the same to the Speaker of the House of Representatives as soon as the Speaker shall be chosen; and the said Speaker shall, during the first week of the session of the Legislature, open and publish them in the presence of both houses of the Legislature. The person voted

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for at said election having the highest number of votes for each of said offices, respectively, and being constitutionally eligible shall be declared by the Speaker, under sanction of the Legislature, to be elected to said office. But if two or more persons shall have the highest and an equal number of votes for either of said offices, one of them shall be immediately chosen to such office by joint vote of both houses of the Legislature. Contested elections for either of said offices shall be determined by both houses of the Legislature in joint session.

VERMONT.

IX.

The votes of Governor, Lieutenant-Governor and Treasurer of the State shall be sorted and counted, and the result declared, by a committee appointed by the Senate and House of Representatives. If at any time there shall be no election by the freemen of Governor, Lieutenant-Governor and Treasurer of the State, the Senate and House of Representatives shall, by a joint ballot, elect to fill the office, not filled by the freemen as aforesaid, one of the three candidates for such office (if there be so many) for whom the greatest number of votes shall have been returned.

2. XXIV.

The Governor, Lieutenant-Governor, Treasurer of State, Senators, town Representatives, assistant judges of the County Court, sheriffs, high bailiffs, State's attorneys, judges of probate and justices of the peace shall be elected biennially, on the first Tuesday of Sep-

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tember, in the manner prescribed by the Constitution of the State.

VIRGINIA.

2. IV.

The Governor shall be elected by the voters at the times and places of choosing members of the General Assembly. Returns of election shall be transmitted, under seal, by the proper officers to the Secretary of the Commonwealth, who shall deliver them to the Speaker of the House of Delegates on the first day of the next session of the General Assembly. The Speaker of the House of Delegates shall, within one week thereafter in the presence of a majority of the Senate and House of Delegates, open the said returns, and the votes shall then be counted. The person having the highest number of votes shall be declared elected; but if two or more shall have the highest and an equal number of votes, one of them shall be chosen Governor by the joint vote of the two houses of the General Assembly. Contested elections for Governor shall be decided by a like vote, and the mode of proceeding in such cases shall be prescribed by law.

9. IV.

A Lieutenant-Governor shall be elected at the same time and for the same term as the Governor, and his qualification and the manner of his election in all respects, shall be the same.

WEST VIRGINIA.

2. VII.

An election for Governor, State Superintendent of Free Schools, Treasurer and Attorney-General shall be held at such times and places as may be prescribed in

Election of Governor and Lieutenant-Governor.

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this Constitution or by general law.

3. VII.

The returns of every election for the above-named officers shall be sealed up and transmitted by the returning officers to the Secretary of State, directed "to the Speaker of the House of Delegates," who shall, immediately after the organization of the House and before proceeding to business, open and publish the same, in the presence of a majority of each House of the Legislature, which shall for that purpose assemble in the hall of the House of Delegates. The person having the highest number of votes for either of said offices shall be declared duly elected thereto; but if two or more have an equal and the highest number of votes for the same office, the Legislature shall, by joint vote, choose one of such persons for said office. Contested elections for the office of Governor, shall be determined by both houses of the Legislature by joint vote, in such manner as may be prescribed by law. The Secretary of State shall be appointed by the Gov-

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ernor, by and with the advice and consent of the Senate, and shall continue in office, unless sooner removed, until the expiration of the official term of the Governor by whom he shall have been appointed.

WISCONSIN.

3. V.

The Governor and Lieutenant-Governor shall be elected by the qualified electors of the State at the times and places of choosing members of the Legislature. The persons respectively having the highest number of votes for Governor and Lieutenant-Governor shall be elected. But in case two or more shall have an equal and the highest number of votes for Governor or Lieutenant-Governor, the two Houses of the Legislature, at its next annual session, shall forthwith, by joint ballot, choose one of the persons so having an equal and the highest number of votes for Governor or Lieutenant-Governor. The returns of election for Governor and Lieutenant-Governor shall be made in such manner as shall be provided by law.

DUTIES AND POWERS OF THE GOVERNOR—HIS COMPENSATION.

1 Sec. 4. The Governor shall be Commander-in-Chief of
 2 the military and naval forces of the State. He shall have
 3 power to convene the Legislature, or the Senate only, on
 4 extraordinary occasions. At extraordinary sessions no subject
 5 shall be acted upon, except such as the Governor may recom-
 6 mend for consideration. He shall communicate by message
 7 to the Legislature at every session the condition of the State,
 8 and recommend such matters to it as he shall judge expedient.
 9 He shall transact all necessary business with the officers of
 10 government, civil and military. He shall expedite all such
 11 measures as may be resolved upon by the Legislature, and
 12 shall take care that the laws are faithfully executed. He shall
 13 receive for his services an annual salary of ten thousand dol-
 14 lars, and there shall be provided for his use a suitable and
 15 furnished executive residence.

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ALABAMA.**9. V.**

The Governor may require information in writing under oath, from the officers of the executive department on any subject relating to the duties of their respective offices; and may at any time require information in writing, under oath, from all the officers and managers of State institutions, upon any subject relating to their condition, management and expenses of

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their respective offices and institutions; and any such officer or manager who makes a false report shall be guilty of perjury and punished accordingly.

10. V.

The Governor may, by proclamation, on extraordinary occasions, convene the General Assembly at the seat of government, or at a different place if, since their last adjournment, that shall have become danger-

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ous from an enemy, or from infectious or contagious diseases; and he shall state specifically in such proclamation each matter concerning which the action of that body is deemed necessary.

11. V.

The Governor shall, from time to time, give to the General Assembly information of the State of the government, and recommend to their consideration such measures as he may deem expedient; and at the commencement of each session of the General Assembly, and at the close of his term of office, give information, by written message, of the condition of the State; and he shall account to the General Assembly, as may be prescribed by law, for all moneys received and paid out by him from any funds subject to his order, with the vouchers therefor; and he shall, at the commencement of each regular session, present to the General Assembly estimates of the amount of money required to be raised by taxation for all purposes.

18. V.

The Governor shall be commander-in-chief of the militia and volunteer forces of this State, except when they shall be called into the service of the United States, and he may call out the same to execute the laws, suppress insurrection, and repel invasion, but he need not command in person, unless directed to do so by a resolution of the General Assembly; and when acting in the service of the United States, he shall appoint his staff, and the General Assembly shall fix his rank.

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23. V.

Should the office of Secretary of State, State Treasurer, State Auditor, Attorney-General, or Superintendent of Education, become vacant, for any of the causes specified in section fifteen of this article, the Governor shall fill the vacancy, until the disability is removed, or a successor elected and qualified.

6. 12.

The Governor shall, except as otherwise provided herein, be Commander-in-Chief of the militia and volunteer forces of the State, except when in the service of the United States, and shall, with the advice and consent of the Senate, appoint all general officers, whose term of office shall be for four years. The Governor, the Generals and regimental and battalion commanders shall appoint their own staffs, as may be provided by law.

ARKANSAS.

6. V.

The Governor shall issue writs of election to fill such vacancies as shall occur in either house of the General Assembly.

6. VI.

The Governor shall be Commander-in-Chief of the military and naval forces of this State, except when they shall be called into actual service of the United States.

6. VI.

He may require information in writing from the officers of the executive department on any subject relating to the duties of their respective offices, and shall see that the laws are faithfully executed.

8. VI.

He shall give to the General Assembly from time to time, and

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at the close of his official term to the next General Assembly, information by message concerning the condition and government of the State, and recommend for their consideration such measures as he may deem expedient.

19. VI.

The Governor, may, by proclamation, on extraordinary occasions, convene the General Assembly at the seat of government, or at a different place, if that shall have become since their last adjournment dangerous from an enemy or contagious disease; and he shall specify in his proclamation the purpose for which they are convened, and no other business than that set forth therein shall be transacted until the same shall have been disposed of, after which they may, by a vote of two-thirds of all the members elected to both houses, entered upon their journals, remain in session not exceeding fifteen days.

20. VI.

In case of disagreement between the two houses of the General Assembly, at a regular or special session, with respect to the time of adjournment, the Governor may, if the facts be certified to him by the presiding officers of the two houses, adjourn them to a time not beyond the day of their next meeting; and on account of danger from an enemy or disease, to such other place of safety as he may think proper.

4. XI.

The Governor shall, when the General Assembly is not in session, have power to call out the volunteers or militia, or both, to execute the laws, repel invasion, repress insurrection and preserve the public peace in

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such manner as may be authorized by law.

28.

For the period of two years from the adoption of this Constitution, and until otherwise provided by law, the respective officers herein enumerated shall receive for their services the following salaries per annum:

For Governor the sum of \$3,500; for Secretary of State the sum of \$2,000; for Treasurer the sum of \$2,500; for Auditor the sum of \$2,500; for Attorney-General the sum of \$2,000; for Commissioner of State Lands the sum of \$2,000; for judges of the Supreme Court, each, the sum of \$3,500; for judges of the Circuit and Chancery courts, each, the sum of \$2,500; for prosecuting attorneys, each, the sum of \$400; for members of the General Assembly the sum of \$6.00 per day and twenty cents per mile for each mile traveled in going to and returning from the seat of government over the most direct and practicable route.

CALIFORNIA.

12. IV.

When vacancies occur in either house, the Governor or the person exercising the functions of the Governor, shall issue writs of election to fill such vacancies.

5. V.

The Governor shall be Commander-in-Chief of the militia, the army and navy of this State.

6. V.

He shall transact all executive business with the officers of government, civil and military, and may require information, in writing, from the officers of the executive department upon any subject relating to the duties of their respective offices.

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7. V.

He shall see that the laws are faithfully executed.

9. V.

He may, on extraordinary occasions, convene the Legislature by proclamation, stating the purposes for which he has convened it, and when so convened it shall have no power to legislate on any subject other than those specified in the proclamation, but may provide for the expenses of the session, and other matters incidental thereto.

10. V.

He shall communicate by message to the Legislature, at every session, the condition of the State, and recommend such matters as he shall deem expedient.

11. V.

In case of a disagreement between the two houses with respect to the time of adjournment, the Governor shall have power to adjourn the Legislature to such time as he may think proper: Provided, it be not beyond the time fixed for the meeting of the next Legislature.

19. V.

The Governor, Lieutenant-Governor, Secretary of State, Controller, Treasurer, Attorney-General and Surveyor-General shall, at stated times, during their continuance in office, receive for their services a compensation which shall not be increased or diminished during the term for which they shall have been elected, which compensation is hereby fixed for the following officers for the two terms next ensuing the adoption of this Constitution, as follows: Governor, six thousand dollars per annum; Lieutenant-Governor, the same per diem as may be provided by law for the

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speaker of the Assembly, to be allowed only during the session of the Legislature; the Secretary of State, Controller, Treasurer, Attorney-General and Surveyor-General, three thousand dollars each per annum, such compensation to be in full for all services by them, respectively, rendered in any official capacity or employment whatsoever during their respective terms of office. Provided, however, That the Legislature, after the expiration of the terms hereinbefore mentioned, may by law diminish the compensation of any or all such officers, but in no case shall have the power to increase the same above the sums hereby fixed by this Constitution. No salary shall be authorized by law for clerical service, in any office provided for in this article, exceeding sixteen hundred dollars per annum for each clerk employed. The Legislature may, in its discretion, abolish the office of Surveyor-General; and none of the officers hereinbefore named shall receive for their own use any fees or perquisites for the performance of any official duty.

COLORADO.

5. IV.

The Governor shall be Commander-in-Chief of the military forces of the State, except when they shall be called into actual service of the United States. He shall have power to call out the militia to execute the laws, suppress insurrection, or repel invasion.

6. IV.

The Governor shall nominate, and by and with the consent of the Senate, appoint all officers whose offices are established by this Constitution, or which may be

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Sec. Art.

created by law, and whose appointment or election is not otherwise provided for, and may remove any such officer for incompetency, neglect of duty or malfeasance in office. If during the recess of the Senate a vacancy occur in any such office, the Governor shall appoint some fit person to discharge the duties thereof until the next meeting of the Senate, when he shall nominate some person to fill such office. If the office of Auditor of State, State Treasurer, Secretary of State, Attorney-General, or Superintendent of Public Instruction, shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified in such manner as may be provided by law. The Senate in deliberating upon executive nominations may sit with closed doors, but in acting upon nominations they shall sit with open doors, and the vote shall be taken by ayes and noes, which shall be entered upon the journal.

8. IV.

The Governor may require information, in writing, from the officers of the executive department upon any subject relating to the duties of their respective offices, which information shall be given upon oath whenever so required; he may also require information in writing at any time, under oath, from all officers and managers of the State institutions, upon any subject relating to the condition, management and expenses of their respective offices and institutions. The Governor shall, at the commencement of each session, and from time to time, by

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message, give to the General Assembly information of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall also send to the General Assembly a statement, with vouchers, of the expenditures of all moneys belonging to the State, and paid out by him. He shall, also, at the commencement of each session, present estimates of the amount of money required to be raised by taxation for all purposes of the State.

9. IV.

The Governor may, on extraordinary occasions, convene the General Assembly, by proclamation, stating therein the purpose for which it is assembled; but at such special session no business shall be transacted other than that specially named in the proclamation. He may, by proclamation, convene the Senate in extraordinary session for the transaction of executive business.

10. IV.

The Governor, in case of a disagreement between the two houses at the time of adjournment, may, upon the same being certified to him by the house last moving adjournment, adjourn the General Assembly to a day not later than the first day of the next regular session.

16. IV.

An account shall be kept by the officers of the executive department and of all public institutions of the State, of all moneys received by them severally from all sources, and for every service performed, and of all moneys disbursed by them severally, and a semi-annual report thereof shall be made to the Governor, under oath.

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4. IV.

CONNECTICUT.

The compensations of the Governor, Lieutenant-Governor, Senators and Representatives shall be established by law, and shall not be varied so as to take effect until after an election, which shall next succeed the passage of the law establishing said compensations.

5. IV.

The Governor shall be Captain-General of the militia of the State, except when called into the service of the United States.

6. IV.

He may require information in writing from the officers in the executive department, on any subject relating to the duties of their respective offices.

7. IV.

The Governor, in case of a disagreement between the two houses of the General Assembly respecting the time of adjournment, may adjourn them to such time as he shall think proper, not beyond the day of the next stated session.

8. IV.

He shall, from time to time, give to the General Assembly information of the state of the government, and recommend to their consideration such measures as he shall deem expedient.

9. IV.

He shall take care that the laws be faithfully executed.

DELAWARE.

6. III.

The Governor shall, at stated times, receive for his services an adequate salary, to be fixed by law, which shall be neither increased nor diminished during the period for which he shall have been elected.

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7. III.

He shall be Commander-in-Chief of the army and navy of this State, and of the militia, except when they shall be called into the service of the United States.

8. III.

He shall appoint all officers whose offices are established by this Constitution, or shall be established by law, and whose appointments are not herein otherwise provided for; but no person shall be appointed to an office within a county who shall not have a right to vote for Representatives, and have been an inhabitant therein one year next before his appointment, nor hold the office longer than he continues to reside in the county. No member of Congress, nor any person holding or exercising any office under the United States, shall at the same time hold or exercise the office of judge, treasurer, attorney-general, secretary, prothonotary, register for the probate of wills and granting letters of administration, recorder, sheriff, or any office under this State, with a salary by law annexed to it, or any other office which the Legislature shall declare incompatible with offices or appointments under the United States. No person shall hold more than one of the following offices at the same time, to wit: Treasurer, attorney-general, prothonotary, register or sheriff. All commissions shall be in the name of the State, shall be sealed with the great seal, and be signed and attested by the Governor.

11. III.

He shall from time to time give to the General Assembly information of affairs concerning the State, and recommend to their consideration such measures as he shall judge expedient.

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12. III.

He may on extraordinary occasions convene the General Assembly; and in case of disagreement between the two houses with respect to the time of adjournment, adjourn them to such time as he shall think proper, not exceeding three months.

9.

The Governor shall have power to issue writs of election to supply vacancies in either house of the General Assembly that have happened or may happen.

FLORIDA.

4. IV.

The Governor shall be Commander-in-Chief of the military forces of the State, except when they shall be called into the service of the United States.

5. IV.

The Governor shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the administrative officers of the executive department upon any subject relating to the duties of their respective offices.

6. IV.

The Governor shall take care that the laws be faithfully executed.

8. IV.

The Governor may, on extraordinary occasions, convene the Legislature by proclamation and shall in his proclamation state the purpose for which it is to be convened, and the Legislature when organized shall transact no legislative business other than that for which it is especially convened, or such other legislative business as the Governor may call to its attention while in session, except by a two-thirds vote of each house.

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9. IV.

The Governor shall communicate by message to the Legislature at each regular session information concerning the condition of the State, and recommend such measures as he may deem expedient.

10. IV.

In case of a disagreement between the two houses with respect to the time of adjournment, the Governor shall have power to adjourn the Legislature to such time as he may think proper, provided it be not beyond the time fixed for the meeting of the next Legislature.

13. IV.

The Governor may, at any time, require the opinion of the justices of the Supreme Court as to the interpretation of any portion of this Constitution upon any question affecting his executive powers and duties, and the justices shall render such opinion in writing.

15. IV.

All officers that shall have been appointed or elected, and that are not liable to impeachment, may be suspended from office by the Governor for malfeasance, or misfeasance, or neglect of duty in office, for the commission of any felony, or for drunkenness or incompetency, and the cause of suspension shall be communicated to the officer suspended and to the Senate at its next session. And the Governor, by and with the consent of the Senate, may remove any officer, not liable to impeachment, for any cause above named. Every suspension shall continue until the adjournment of the next session of the Senate, unless the officer suspended shall, upon the recommendation of the Governor, be removed; but the Governor may reinstate

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the officer so suspended upon satisfactory evidence that the charge or charges against him are untrue. If the Senate shall refuse to remove, or fail to take action before its adjournment, the officer suspended shall resume the duties of the office. The Governor shall have power to fill by appointment any office, the incumbent of which has been suspended. No officer suspended who shall, under this section, resume the duties of his office shall suffer any loss of salary or other compensation in consequence of such suspension. The suspension or removal herein authorized shall not relieve the officer from indictment for any misdemeanor in office.

27. IV.

Each officer of this department shall make a full report of his official acts, of the receipts and expenditures of his office, and of the requirements of the same, to the Governor, at the beginning of each regular session of the Legislature, or whenever the Governor shall require it. Such reports shall be laid before the Legislature by the Governor at the beginning of each regular session thereof. Either house of the Legislature may at any time call upon any officer of this department for information required of it.

29. IV.

The salary of the Governor of the State shall be thirty-five hundred dollars a year, of the Comptroller, two thousand dollars; of the State Treasurer, two thousand dollars; of the Secretary of State, fifteen hundred dollars; of the Attorney-General, fifteen hundred dollars; of the Commissioner of Agriculture, fifteen hundred dollars; of the Superintendent of Public Instruction,

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fifteen hundred dollars, a year: Provided, That no administrative officer of the executive department shall receive any additional compensation beyond his salary for any service or services rendered the State in connection with the internal improvement fund or other interests belonging to the State of Florida: Provided, further, That the Legislature may, after eight years from the adoption of this Constitution, increase or decrease any or all of said salaries.

4. XIV.

The Governor shall have power to call out the militia to preserve the public peace, to execute the laws of the State, to suppress insurrection, or to repel invasion.

GEORGIA.

1. V.

The Governor shall be commander-in-chief of the army and navy of the State, and of the militia thereof.

1. V.

Par. XIII. He shall issue writs of election to fill all vacancies that may happen in the Senate or House of Representatives, and shall give the General Assembly, from time to time, information of the state of the Commonwealth, and recommend to their consideration such measures as he may deem necessary or expedient. He shall have power to convoke the General Assembly on extraordinary occasions, but no law shall be enacted at such call sessions of the General Assembly except such as shall relate to the subject stated in his proclamation convening them.

1. V.

Par. XIV. When any office shall

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become vacant, by death, resignation or otherwise, the Governor shall have power to fill such vacancy, unless otherwise provided by law; and persons so appointed shall continue in office until a successor is commissioned, agreeable to the mode pointed out in the Constitution, or by law in pursuance thereof.

1. V.

Par. XVIII. He may require information, in writing, from the officers in the executive department on any subject relating to the duties of their respective offices. It shall be the duty of the Governor, quarterly, and oftener, if he deems it expedient, to examine, under oath, the Treasurer and Comptroller-General of the State on all matters pertaining to their respective offices, and to inspect and review their books and accounts. The General Assembly shall have authority to provide by law for the suspension of either of said officers from the discharge of the duties of his office, and also for the appointment of a suitable person to discharge the duties of the same.

1. V.

Par. XIX. The Governor shall have power to appoint his own secretaries, not exceeding two in number, and to provide such other clerical force as may be required in his office, but the total cost for secretaries and clerical force in his office shall not exceed six thousand dollars per annum.

4. IV.

IDAHO.

The Governor shall be Commander-in-Chief of the military forces of the State, except when they shall be called into actual service of the United States. He shall have power to call out the

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militia to execute the laws, to suppress insurrection or to repel invasion.

6. IV.

The Governor shall nominate and, by and with the consent of the Senate, appoint all officers whose offices are established by this Constitution, or which may be created by law, and whose appointment or election is not otherwise provided for. If, during the recess of the Senate, a vacancy occurs in any State or district office, the Governor shall appoint some fit person to discharge the duties thereof until the next meeting of the Senate, when he shall nominate some person to fill such office. If the office of a justice of the Supreme or District Court, Secretary of State, State Auditor, State Treasurer, Attorney-General or Superintendent of Public Instruction shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified in such manner as may be provided by law.

8. IV.

The Governor may require information in writing from the officers of the executive department upon any subject relating to the duties of their respective offices, which information shall be given upon oath whenever so required; he may also require information in writing, at any time, under oath, from all officers and managers of State institutions, upon any subject relating to the condition, management and expenses of their respective offices and institutions, and may, at any time he deems it necessary, appoint a commit-

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tee to investigate and report to him upon the condition of any executive office or State institution. The Governor shall, at the commencement of each session, and from time to time, by message, give to the Legislature information of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall also send to the Legislature a statement, with vouchers, of the expenditures of all moneys belonging to the State and paid out by him. He shall also, at the commencement of each session, present estimates of the amount of money required to be raised by taxation for all purposes of the State.

9. IV.

The Governor may, on extraordinary occasions, convene the Legislature by proclamation, stating the purposes for which he has convened it; but when so convened it shall have no power to legislate on any subjects other than those specified in the proclamation; but may provide for the expenses of the session and other matters incidental thereto. He may also, by proclamation, convene the Senate in extraordinary session for the transaction of executive business.

19. IV.

The Governor, Secretary of State, State Auditor, State Treasurer, Attorney-General and Superintendent of Public Instruction shall, quarterly as due, during their continuance in office, receive for their services compensation, which for the term next ensuing after the adoption of this Constitution, is fixed as follows: Governor, three thousand dollars per annum; Secretary of State, one thousand eight hundred dollars per annum; State

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Auditor, one thousand eight hundred dollars per annum; State Treasurer, one thousand dollars per annum; Attorney-General, two thousand dollars per annum; and Superintendent of Public Instruction, one thousand five hundred dollars per annum. The Lieutenant-Governor shall receive the same per diem as may be provided by law for the speaker of the House of Representatives, to be allowed only during the session of the Legislature. The compensations enumerated shall be in full for all services by said officers respectively, rendered in any official capacity or employment whatever during their respective terms of office.

No officer named in this section shall receive for the performance of any official duty any fee for his own use, but all fees fixed by law for the performance by either of them of any official duty shall be collected in advance and deposited with the State Treasurer quarterly to the credit of the State. The Legislature may, by law, diminish or increase the compensation of any or all of the officers named in this section, but no such diminution or increase shall affect the salaries of the officers then in office during their term: Provided, however, The Legislature may provide for the payment of actual and necessary expenses to the Governor, Lieutenant-Governor, Secretary of State, Attorney-General and Superintendent of Public Instruction, while traveling within the State in the performance of official duty.

ILLINOIS.

7. V.

The Governor shall, at the commencement of each session, and

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at the close of his term of office, give to the General Assembly information, by message, of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall account to the General Assembly and accompany his message with a statement of the moneys received and paid out by him from any funds subject to his order, with vouchers, and at the commencement of each regular session, present estimates of the amount of money required to be raised by taxation for all purposes.

8. V.

The Governor may, on extraordinary occasions, convene the General Assembly, by proclamation, stating therein the purpose for which they are convened, and the General Assembly shall enter upon no business except that for which they were called together.

9. V.

In case of a disagreement between the two houses with respect to the time of adjournment, the Governor may, on the same being certified to him by the house first moving the adjournment, adjourn the General Assembly to such time as he thinks proper, not beyond the first day of the next regular session.

10. V.

The Governor shall nominate, and by and with the advice and consent of the Senate (a majority of all the members elected concurring by yeas and nays), appoint all officers whose offices are established by this Constitution, or which may be created by law, and whose appointment or election is not otherwise provided for; and no such officer

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shall be appointed or elected by the General Assembly.

11. V.

In case of a vacancy, during the recess of the Senate, in any office which is not elective, the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall nominate some person to fill such office; and any person so nominated who is confirmed by the Senate (a majority of all the Senators elected concurring by yeas and nays), shall hold his office during the remainder of the term, and until his successor shall be appointed and qualified. No person, after being rejected by the Senate, shall be again nominated for the same office at the same session, unless at the request of the Senate, or be appointed to the same office during the recess of the General Assembly.

14. V.

The Governor shall be Commander-in-Chief of the military and naval forces of the State (except when they shall be called into the service of the United States), and may call out the same to execute the law, suppress insurrection and repel invasion.

20. V.

If the office of Auditor of Public Accounts, Treasurer, Secretary of State, Attorney-General, or Superintendent of Public Instruction shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified in such manner as may be provided by law. An account shall be kept by the officers of the executive depart-

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ment, and of all the public institutions of the State, of all moneys received or disbursed by them, severally, from all sources, and for every service performed, and a semi-annual report thereof be made to the Governor, under oath; and any officer who makes a false report shall be guilty of perjury, and punished accordingly.

21. V.

The officers of the executive department, and of all the public institutions of the State, shall, at least ten days preceding each regular session of the General Assembly, severally report to the Governor, who shall transmit such reports to the General Assembly, together with the reports of the judges of the Supreme Court of defects in the Constitution and laws; and the Governor may at any time require information, in writing, under oath, from the officers of the executive department, and all officers and managers of State institutions, upon any subject relating to the condition, management and expenses of their respective offices.

INDIANA.**12. V.**

The Governor shall be Commander-in-Chief of the military and naval forces, and may call out such forces to execute the laws, or to suppress insurrection, or to repel invasion.

13. V.

He shall, from time to time, give to the General Assembly information touching the condition of the State, and recommend such measures as he shall judge to be expedient.

15. V.

The Governor shall transact all necessary business with the officers of government, and may

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require any information in writing from the officers of the administrative department upon any subject relating to the duties of their respective offices.

16. V.

He shall take care that the laws be faithfully executed.

18. V.

When, during a recess of the General Assembly, a vacancy shall happen in any office, the appointment to which is vested in the General Assembly, or when, at any time, a vacancy shall have occurred in any other State office, or in the office of judge of any court, the Governor shall fill such vacancy by appointment, which shall expire when a successor shall have been elected and qualified.

20. V.

Should the seat of government become dangerous from disease or a common enemy, he may convene the General Assembly at any other place.

22. V.

The Governor shall, at stated times, receive for his services a compensation which shall neither be increased or diminished during the term for which he shall have been elected.

5. VI.

The Governor, and the Secretary, Auditor and Treasurer of State, shall severally, reside and keep the public records, books and papers, in any manner relating to the respective offices at the seat of government.

IOWA.**12. III.**

When vacancies occur in either house, the Governor, or the person exercising the functions of Governor, shall issue writs of election to fill such vacancies.

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7. IV.

The Governor shall be Commander-in-Chief of the militia, the army and navy of this State.

8. IV.

He shall transact all executive business with the officers of government, civil and military, and may require information in writing from the officers of the executive department upon any subject relating to the duties of their respective offices.

9. IV.

He shall take care that the laws are faithfully executed.

11. IV.

He may, on extraordinary occasions, convene the General Assembly, by proclamation, and shall state to both houses, when assembled, the purpose for which they shall have been convened.

12. IV.

He shall communicate, by message, to the General Assembly, at every regular session, the condition of the State, and recommend such matters as he shall deem expedient.

13. IV.

In case of disagreement between the two houses with respect to the time of adjournment, the Governor shall have power to adjourn the General Assembly to such time as he may think proper; but no such adjournment shall be beyond the time fixed for the regular meeting of the next General Assembly.

KANSAS.

4. I.

He may require information in writing from the officers of the executive department, upon any subject relating to their respective duties.

5. I.

He may, on extraordinary occa-

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sions, convene the Legislature by proclamation, and shall, at the commencement of every session, communicate in writing such information as he may possess in reference to the condition of the State, and recommend such measures as he may deem expedient.

6. I.

In case of disagreement between the two houses in respect to the time of adjournment, he may adjourn the Legislature to such time as he may think proper, not beyond its regular meeting.

7. I.

The pardoning power shall be vested in the Governor, under regulations and restrictions prescribed by law.

14. I.

Should either the Secretary of State, Auditor, Treasurer, Attorney-General, or Superintendent of Public Instruction become incapable of performing the duties of his office for any of the causes specified in the thirteenth section of this article, the Governor shall fill the vacancy until the disability is removed, or a successor is elected and qualified. Every such vacancy shall be filled by election, at the first general election that occurs more than thirty days after it shall have happened; and the person chosen shall hold the office for the unexpired term.

4. VIII.

The Governor shall be Commander-in-Chief, and shall have power to call out the militia to execute the laws, to suppress insurrection, and to repel invasion.

KENTUCKY.

74.

He shall at stated times receive for his services a compensation to be fixed by law.

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75.

He shall be commander-in-chief of the army and navy of this Commonwealth, and of the militia thereof, except when they shall be called into the service of the United States; but he shall not command personally in the field, unless advised so to do by a resolution of the General Assembly.

76.

He shall have the power, except as otherwise provided in this Constitution, to fill vacancies by granting commissions, which shall expire when such vacancies shall have been filled according to the provisions of this Constitution.

78.

He may require information in writing from the officers of the executive department upon any subject relating to the duties of their respective offices.

79.

He shall, from time to time, give to the General Assembly information of the state of the Commonwealth, and recommend to their consideration such measures as he may deem expedient.

80.

He may, on extraordinary occasions convene the General Assembly at the seat of government, or at a different place, if that should have become dangerous from an enemy or from contagious diseases. In case of disagreement between the two houses with respect to the time of adjournment, he may adjourn them to such time as he shall think proper, not exceeding four months. When he shall convene the General Assembly it shall be by proclamation, stating the subjects to be con-

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sidered, and no others shall be considered.

81.

He shall take care that the laws be faithfully executed.

245.

Upon the promulgation of this Constitution, the Governor shall appoint three persons, learned in the law, who shall be commissioners to revise the statute laws of this Commonwealth, and prepare amendments thereto, to the end that the statute laws shall conform to and effectuate this Constitution. Such revision and amendments shall be laid before the next General Assembly for adoption or rejection, in whole or in part. The said commissioners shall be allowed ten dollars each per day for their services, and also necessary stationery for the time during which they are actually employed; and upon their certificate the Auditor shall draw his warrant upon the Treasurer. They shall have the power to employ clerical assistants, at a compensation not exceeding ten dollars per day in the aggregate. If the commissioners, or any of them, shall refuse to act, or a vacancy shall occur, the Governor shall appoint another or others in his or their place.

246.

No public officer, except the Governor, shall receive more than five thousand dollars per annum as compensation for official services, independent of the compensation of legally authorized deputies and assistants, which shall be fixed and provided for by law. The General Assembly shall provide for the enforcement of this section by suitable penalties, one of which shall be forfeiture of of-

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fine by any person violating its provisions.

LOUISIANA.

67.

The Governor shall receive a salary of four thousand dollars per annum, payable monthly on his own warrant.

Art. 68. He shall nominate, and by and with the advice and consent of the Senate, appoint all officers whose offices are established by this Constitution, and whose appointments or elections are not herein otherwise provided for. Provided, however, that the General Assembly shall have the right to prescribe the mode of appointment or election to all offices created by it.

Art. 69. The Governor shall have the power to fill vacancies that may happen during the recess of the Senate, in cases not otherwise provided for in this Constitution, by granting commissions which shall expire at the end of the next session; but no person who has been nominated for office and rejected shall be appointed to the same office during the recess of the Senate. The failure of the Governor to send into the Senate the name of any person appointed for office, as herein provided, shall be equivalent to a rejection.

70.

He may require information in writing from the officers in the executive department upon any subject relating to the duties of their respective offices. He shall be Commander-in-Chief of the militia of the State, except when they shall be called into the actual service of the United States.

71.

He shall, from time to time, give to the General Assembly infor-

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mation respecting the situation of the State, and recommend to its consideration such measures as he may deem expedient.

72.

He shall take care that the laws be faithfully executed, and he may, on extraordinary occasions, convene the General Assembly at the seat of government, or, if that should have become dangerous from an enemy or from an epidemic, at a different place. The power to legislate shall be limited to the objects enumerated specifically in the proclamation convening such extraordinary session; therein the Governor shall also limit the time such session may continue: Provided, It shall not exceed twenty days. Any legislative action had after the time so limited, or as to other objects than those enumerated in said proclamation, shall be null and void.

Art. 280. Appointments to office by the executive under this Constitution shall be made by the Governor to be elected under its authority.

MAINE.

4. IV.

The Governor and Council shall, as soon as may be, examine the returned copies of such lists, and also the lists of votes of citizens in the military service, returned into the secretary's office, and twenty days before the said first Wednesday of January, issue a summons to such persons as shall appear to be elected by a plurality of the votes for each district, to attend that day and take their seats.

6. V.

The Governor shall, at stated times, receive for his services a compensation, which shall not

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be increased or diminished during his continuance in office.

7. V.

He shall be Commander-in-Chief of the army and navy of the State and of the militia, except when called into the actual service of the United States; but he shall not march nor convey any of the citizens out of the State, without their consent or that of the Legislature, unless it shall become necessary, in order to transport them from one part of the State to another for the defense thereof.

8. V.

He shall nominate, and with the advice and consent of the Council, appoint all judicial officers, coroners and notaries public; and he shall also nominate, and with the advice and consent of the Council, appoint all other civil and military officers whose appointment is not by this Constitution, or shall not by law be otherwise provided for; and every nomination shall be made seven days, at least, prior to such appointment.

9. V.

He shall, from time to time, give the Legislature information of the condition of the State, and recommend to their consideration such measures as he may judge expedient.

10. V.

He may require information from any military officer or any officer in the executive department, upon any subject relating to the duties of their respective offices.

12. V.

He shall take care that the laws be faithfully executed.

13. V.

He may, on extraordinary occa-

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sions, convene the Legislature; and in case of disagreement between the two houses with respect to the time of adjournment, adjourn them to such time as he shall think proper, not beyond the day of the next annual meeting; and if, since the last adjournment, the place where the Legislature were next to convene shall have become dangerous from an enemy or contagious sickness, may direct the session to be held at some other convenient place within the State.

MARYLAND.

8. II.

The Governor shall be Commander-in-Chief of the land and naval forces of the State; and may call out the militia to repel invasions, suppress insurrections, and enforce the execution of the laws; but shall not take command in person, without the consent of the Legislature.

9.

He shall take care that the laws are faithfully executed.

10. II.

He shall nominate, and by and with the advice and consent of the Senate, appoint all civil and military officers of the State, whose appointment, or election, is not otherwise herein provided for; unless a different mode of appointment be prescribed by the law creating the office.

15. II.

The Governor may suspend or arrest any military officer of the State for disobedience of orders, or other military offense; and may remove him in pursuance of the sentence of a court martial; may remove for incompetency or misconduct, all civil officers who received appoint-

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ment from the executive for a term of years.

16. II.

The Governor shall convene the Legislature, or the Senate alone, on extraordinary occasions; and whenever from the presence of an enemy, or from any other cause, the seat of the government shall become an unsafe place for the meeting of the Legislature, he may direct their sessions to be held at some other convenient place.

19. II.

He shall, from time to time, inform the Legislature of the condition of the State, and recommend to their consideration such measures as he may judge necessary and expedient.

21. II.

The Governor shall reside at the seat of government, and receive for his services an annual salary of four thousand five hundred dollars.

13. III.

In case of death, disqualification, resignation, refusal to act, expulsion or removal from the county or city for which he shall have been elected, or any person who shall have been chosen as a Delegate or Senator, or in case of a tie between two or more such qualified persons, a warrant of election shall be issued by the Speaker of the House of Delegates or President of the Senate, as the case may be, for the election of another person in his place, of which election not less than ten days' notice shall be given, exclusive of the day of the publication of the notice and of the day of election; and if during the recess of the Legislature, and more than ten days before its termination, such death shall

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occur, or such resignation, refusal to act or disqualification, be communicated in writing to the Governor by the person so resigning, refusing or disqualified, it shall be the duty of the Governor to issue a warrant of election to supply the vacancy thus created, in the same manner the said Speaker or President might have done during the session of the General Assembly: Provided, however, that unless a meeting of the General Assembly may intervene, the election thus ordered to fill such vacancy shall be held on the day of the ensuing election for Delegates and Senators.

MASSACHUSETTS.

7. II.

The Governor of this Commonwealth, for the time being, shall be the Commander-in-Chief of the army and navy, and of all the military forces of the State, by sea and land; and shall have full power, by himself, or by any commander, or other officer or officers, from time to time, to train, instruct, exercise and govern the militia and navy; and, for the special defense and safety of the Commonwealth, to assemble in martial array, and put in warlike posture, the inhabitants thereof, and to lead and conduct them, and with them to encounter, repel, resist, expel and pursue, by force of arms, as well by sea as by land, within or without the limits of this Commonwealth, and also to kill, slay and destroy, if necessary, and conquer, by all fitting ways, enterprises and means whatsoever, all and every such person or persons as shall, at any time hereafter, in a hostile manner, attempt or enterprise the destruction, in-

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vasion, detriment or annoyance of this Commonwealth; and to use and exercise, over the army and navy, and over the militia in actual service, the law-martial, in time of war or invasion, and also in time of rebellion, declared by the Legislature to exist, as occasion shall necessarily require; and to take and surprise, by all ways and means whatsoever, all and every such person or persons, with their ships, arms, ammunition and other goods, as shall, in a hostile manner, invade or attempt the invading, conquering or annoying this Commonwealth; and that the Governor be intrusted with all these and other powers, incident to the offices of captain-general and commander-in-chief, and admiral, to be exercised agreeably to the rules and regulations of the Constitution, and the laws of the land, and not otherwise.

Provided, That the said Governor shall not, at any time hereafter, by virtue of any power by this Constitution granted, or hereafter to be granted to him by the Legislature, transport any of the inhabitants of this Commonwealth, or oblige them to march out of the limits of the same, without their free and voluntary consent, or the consent of the General Court; except so far as may be necessary to march or transport them by land or water, for the defense of such part of the State to which they cannot otherwise conveniently have access.

13. II.

As the public good requires that the Governor should not be under the undue influence of any of the members of the General Court by a dependence

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on them for his support, that he should in all cases act with freedom for the benefit of the public, that he should not have his attention necessarily diverted from that object to his private concerns, and that he should maintain the dignity of the Commonwealth in the character of its chief magistrate, it is necessary that he should have an honorable stated salary, of a fixed and permanent value, amply sufficient for those purposes, and established by standing laws; and it shall be among the first acts of the General Court, after the commencement of this Constitution, to establish such salary by law accordingly. Permanent and honorable salaries shall also be established by law for the justices of the Supreme Judicial Court.

And if it shall be found that any of the salaries aforesaid, so established, are insufficient, they shall from time to time, be enlarged, as the General Court shall judge proper.

4.

The Governor shall have authority, from time to time, at his discretion, to assemble and call together the Councillors of this Commonwealth for the time being; and the Governor, with the said Councillors, or five of them, at least, shall, and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the Commonwealth, agreeably to the Constitution and the laws of the land.

5.

The Governor, with advice of Council, shall have full power and authority, during the session of the General Court, to adjourn or prorogue the same to

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any time the two houses shall desire; (and to dissolve the same on the day next preceding the last Wednesday in May; and, in the recess of the said Court, to prorogue the same from time to time, not exceeding ninety days in any one recess); and to call it together sooner than the time to which it may be adjourned or prorogued, if the welfare of the Commonwealth shall require the same; and in case of an infectious distemper prevailing in the place where the said Court is next at any time to convene, or any other cause happening, whereby danger may arise to the health or lives of the members from their attendance, he may direct the session to be held at some other, the most convenient, place within the State. (As to dissolution, see amendments, Art. X.)

(And the Governor shall dissolve the said General Court on the day next preceding the last Wednesday in May.) (As to dissolution, see amendments, Art. X.)

6.

In cases of disagreement between the two houses, with regard to the necessity, expediency or time of adjournment or prorogation, the Governor, with advice of the Council, shall have a right to adjourn or prorogue the General Court, not exceeding ninety days, as he shall determine the public good shall require.

9.

All judicial officers (the Attorney-General), the Solicitor-General (all sheriffs), coroners (and registers of probate), shall be nominated and appointed by the Governor, by and with the advice and consent of the Council; and every such nomination shall be made by the Governor,

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and made at least seven days prior to such appointments. (For provisions as to the election of Attorney-General, see amendments, Art. XVII. For provision as to the election of sheriffs, registers of probate, etc., see amendments, Art. XIX. For provision as to appointments of notaries public, see amendments, Art. IV.)

12.

All public boards, the commissary-general, all superintending officers of public magazines and stores, belonging to this Commonwealth, and all commanding officers of forts and garrisons within the same, shall once in every three months, officially, and without requisition, and at other times, when required by the Governor, deliver to him an account of all goods, stores, provisions, ammunition, cannon with their appendages, and small arms with their accoutrements, and of all other public property whatever under their care respectively; distinguishing the quantity, number, quality and kind of each, as particularly as may be; together with the condition of such forts and garrisons; and the said commanding officer shall exhibit to the Governor, when required by him, true and exact plans of such forts, and of the land and sea or harbor or harbors adjacent. And the said boards, and all public officers, shall communicate to the Governor, as soon as may be after receiving the same, all letters, dispatches and intelligences of a public nature, which shall be directed to them respectively.

2.

The Governor, and in his absence, the Lieutenant-Governor, shall be president of the Council, but

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shall have no vote in council; and the Lieutenant-Governor shall always be a member of the Council, except when the chair of the Governor shall be vacant.

5.

All causes of marriage, divorce and alimony, and all appeals from the judges of probate, shall be heard and determined by the Governor and Council, until the Legislature shall, by law, make other provision.

4.

Notaries public shall be appointed by the Governor in the same manner as the judicial officers are appointed, and shall hold their offices during the seven years, unless sooner removed by the Governor, with the consent of the Council, upon the address of both Houses of the Legislature.

(In case of the office of Secretary or Treasurer of the Commonwealth shall become vacant from any cause, during the recess of the General Court, the Governor, with the advice and consent of the Council, shall nominate and appoint, under such regulations as may be prescribed by law, a competent and suitable person to such vacant office, who shall hold the same until a successor shall be appointed by the General Court.) (This clause superseded by amendments, Art. XVII.)

Whenever the exigencies of the Commonwealth shall require the the appointment of a Commissary General, he shall be nominated, appointed and commissioned, in such manner as the Legislature may, by law, prescribe.

All officers commissioned to command in the militia may be removed from office in such manner as the Legislature may, by law, prescribe.

MICHIGAN.

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4. V.

The Governor shall be Commander-in-Chief of the military and naval forces, and may call out such forces to execute the laws, to suppress insurrections, and to repel invasion.

5. V.

He shall transact all necessary business with officers of government, and may require information, in writing, from the officers of the executive department, upon any subject relating to the duties of their respective offices.

6. V.

He shall take care that the laws be faithfully executed.

7. V.

He may convene the Legislature on extraordinary occasions.

8. V.

He shall give to the Legislature, and at the close of his official term, to the next Legislature, information by message of the condition of the State, and recommend such measures to them as he shall deem expedient.

9. V.

He may convene the Legislature to some other place when the seat of government becomes dangerous from disease or a common enemy.

10. V.

He shall issue writs of election to fill such vacancies as occur in the Senate or House of Representatives.

18. V.

All official acts of the Governor, his approval of the laws excepted, shall be authenticated by the great seal of the State, which shall be kept by the Secretary of State.

3. VIII.

Whenever a vacancy shall occur

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In any of the State offices, the Governor shall fill the same by appointment, by and with the advice and consent of the Senate, if in session.

1. IX.

The Governor shall receive an annual salary of four thousand dollars; the judges of the Circuit Court shall each receive an annual salary of two thousand five hundred dollars; the Secretary of State shall receive an annual salary of two thousand dollars; the Superintendent of Public Instruction shall receive an annual salary of two thousand dollars; the Commissioner of the Land Office shall receive an annual salary of two thousand dollars. They shall receive no fees or perquisites whatever for the performance of any duties connected with their office. It shall not be competent for the Legislature to increase the salaries herein provided.

5. XII.

The Governor may make a provisional appointment to fill a vacancy occasioned by the suspension of an officer, until he shall be acquitted, or until after the election and qualification of a successor.

8. XII.

The Governor shall have power, and it shall be his duty, except at such time as the Legislature may be in session, to examine into the condition and administration of any public office, and the acts of any public officer, elective or appointive, to remove from office for gross neglect of duty, or for corrupt conduct in office, or any other misfeasance or malfeasance therein, either of the following State officers, to wit: The Attorney-General, State Treasurer, Commissioner of the Land Office, Secretary of

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State, Auditor-General, Superintendent of Public Instruction, or members of the State Board of Education, or any other officer of the State, except legislative and judicial, elective or appointive, and to appoint a successor for the remainder of their respective unexpired term of office, and report the cause of such removal to the Legislature at its next session.

MINNESOTA.

17. IV.

The Governor shall issue writs of election to fill such vacancies as may occur in either house of the Legislature. The Legislature shall prescribe by law the manner in which evidence in cases of contested seats in either house shall be taken.

4. V.

The Governor shall communicate by message to each session of the Legislature such information touching the State and condition of the country as he may deem expedient. He shall be Commander-in-Chief of the military and naval forces, and may call out such forces to execute the laws, suppress insurrection and repel invasion. He may require the opinion, in writing, of the principal officer in each of the executive departments upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons after conviction for offenses against the State except in cases of impeachment. He shall have power, by and with the advice and consent of the Senate, to appoint a State Librarian and notaries public, and such other officers as may be provided by law. He shall have to appoint commissioners to take the acknowledgment of

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deeds and other instruments in writing to be used in the State. He shall have a negative upon all laws passed by the Legislature, under such rules and limitations as are in this Constitution prescribed. He may on extraordinary occasions convene both houses of the Legislature. He shall take care that the laws be faithfully executed, fill any vacancy that may occur in the office of Secretary of State, Treasurer, Auditor, Attorney-General, and such other State and district offices as may be hereafter created by law, until the next annual election, and until their successors are chosen and qualified.

MISSISSIPPI.**77. IV.**

The Governor shall issue writs of election to fill such vacancies as may occur in either house of the Legislature, and the persons thereupon chosen shall hold their seats for the unexpired term.

118. V.

The Governor shall receive for his services such compensation as may be fixed by law, which shall neither be increased or diminished during his term of office.

119. V.

The Governor shall be Commander-in-Chief of the army and navy of the State, and of the militia, except when they shall be called into the service of the United States.

120. V.

The Governor may require information, in writing, from the officers in the executive departments of the State on any subject relating to the duties of their respective offices.

121. V.

The Governor shall have power to convene the Legislature in

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extraordinary session whenever in his judgment the public interest requires it. Should the Governor deem it necessary to convene the Legislature, he shall do so by public proclamation, in which he shall state the subjects and matters to be considered by the Legislature when so convened; and the Legislature when so convened as aforesaid, shall have no power to consider or act upon subjects or matters other than those designated in the proclamation of the Governor, by which the session is called, except impeachments, and examination into the accounts of State officers. The Legislature when so convened may also act on and consider such other matters as the Governor may, in writing, submit to them while in session. The Governor may convene the Legislature at the seat of government, or at a different place, if that shall become dangerous from an enemy, or from disease; and in case of a disagreement between the two houses, with respect to time of adjournment, adjourn them to such time as he shall think proper, not beyond the day of the next stated meeting of the Legislature.

122. V.

The Governor shall, from time to time, give the Legislature information of the state of the government, and recommend for consideration such measures as may be deemed necessary and expedient.

123. V.

The Governor shall see that the laws are faithfully executed.

217. IX.

The Governor shall be commander-in-chief of the militia, except when it is called into the

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service of the United States, and shall have power to call forth the militia to execute the laws, repel invasion, and to suppress riots and insurrections.

MISSOURI.

6. V.

The Governor shall take care that the laws are distributed and faithfully executed; and he shall be a conservator of the peace throughout the State.

7. V.

The Governor shall be Commander-in-Chief of the militia of this State, except when they shall be called into the service of the United States, and may call out the same to execute the laws, suppress insurrection and repel invasion; but he need not command in person unless directed to do so by a resolution of the General Assembly.

9. V.

The Governor shall, from time to time, give to the General Assembly information relative to the state of the government, and shall recommend to its consideration such measures as he shall deem necessary and expedient. On extraordinary occasions he may convene the General Assembly by proclamation, wherein he shall state specifically each matter concerning which the action of that body is deemed necessary.

10. V.

The Governor shall, at the commencement of each session of the General Assembly, and at the close of his term of office, give information by message of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall account to the General Assembly, in such manner as

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may be prescribed by law, for all moneys received and paid out by him from any funds subject to his order, with vouchers, and at the commencement of each regular session present estimates of the amount of money required to be raised by taxation for all purposes.

11. V.

When any office shall become vacant, the Governor, unless otherwise provided by law, shall appoint a person to fill such vacancy, who shall continue in office until a successor shall have been duly elected or appointed and qualified according to law.

22. V.

An account shall be kept by the officers of the executive department of all moneys and choses in action disbursed or otherwise disposed of by them, severally, from all sources, and for every service performed; and a semi-annual report thereof shall be made to the Governor under oath. The Governor may at any time require information, in writing, under oath, from the officers of the executive department, and all officers and managers of State institutions, upon any subject relating to the condition, management and expenses of their respective offices and institutions; which information, when so required, shall be furnished by such officers and managers; and any officer or manager who at any time shall make a false report shall be guilty of perjury and punished accordingly.

23. V.

The Governor shall commission all officers not otherwise provided for by law. All commissions shall run in the name and by the authority of the State of Missouri, be signed by the Gov-

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ernor, sealed with the great seal of the State of Missouri, and attested by the Secretary of State.

MONTANA.

45. V.

When vacancies occur in either house the Governor or the person exercising the functions of the Governor shall issue writs of election to fill the same.

4. VII.

Until otherwise provided by law, the Governor, Secretary of State, State Auditor, Treasurer, Attorney-General and Superintendent of Public Instruction, shall quarterly as due, during their continuance in office, receive for their services compensation, which is fixed as follows:

Governor, five thousand dollars per annum.

Secretary of State, three thousand dollars per annum.

Attorney-General, three thousand dollars per annum.

State Treasurer, three thousand dollars per annum.

State Auditor, three thousand dollars per annum.

Superintendent of Public Instruction, two thousand five hundred dollars per annum.

The Lieutenant-Governor shall receive the same per diem as may be prescribed by law, for the Speaker of the Legislative Assembly, to be allowed only during the sessions of the Legislative Assembly.

The compensation enumerated shall be in full for all services by said officers respectively rendered in any official capacity or employment whatever during their respective terms of office, and the salary of no official shall be increased during his term of office. No officer named in this section shall receive, for

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the performance of any official duty, any fee for his own use, but all fees fixed by law for the performance by any officer of any official duty, shall be collected in advance, and deposited with the State Treasurer quarterly to the credit of the State. No officer mentioned in this section shall be eligible to or hold any other public office, except member of the State Board of Education during his term of office.

6. VII.

The Governor shall be commander-in-chief of the militia forces of the State, except when these forces are in the actual service of the United States, and shall have power to call out any part or the whole of said forces to aid in the execution of the laws, to suppress insurrection or to repel invasion.

7. VII.

The Governor shall nominate, and by and with the consent of the Senate, appoint all officers whose offices are established by this Constitution, or which may be created by law, and whose appointment or election is not otherwise provided for. If, during a recess of the Senate, a vacancy occur in any such office, the Governor shall appoint some fit person to discharge the duties thereof until the next meeting of the Senate, when he shall nominate some person to fill such office. If the office of Secretary of State, State Auditor, State Treasurer, Attorney-General or Superintendent of Public Instruction shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until

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his successor shall be elected and qualified.

10. VII.

The Governor may require information in writing from the officers of the executive department upon any subject relating to the duties of their respective offices, which information shall be given upon oath whenever so required; he may also require information in writing, at any time, under oath, from all officers and managers of State Institutions, upon any subject relating to the condition, management and expenses of their respective offices and institutions, and may, at any time he deems it necessary, appoint a committee to investigate and report to him upon the condition of any executive office or State institution. The Governor shall at the beginning of each session, and from time to time by message, give to the Legislative Assembly information of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall also send to the Legislative Assembly a statement with vouchers of the expenditures of all moneys belonging to the State and paid out to him. He shall also at the beginning of each session present estimates of the amount of money required to be raised by taxation for all purposes of the State.

11. VII.

He may on extraordinary occasions convene the Legislative Assembly by proclamation, stating the purposes for which it is convened, but when so convened, it shall have no power to legislate on any subjects other than those specified in the proclamation, or which may be recom-

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mended by the Governor, but may provide for the expenses of the session and other matters incidental thereto. He may also, by proclamation, convene the Senate in extraordinary session for the transaction of executive business.

19. VII.

An account shall be kept by the officers of the executive department, and of all public institutions of the State, of all moneys received by them, severally, from all sources, and for every service performed, and of all moneys disbursed by them, severally, and a semi-annual report thereof shall be made to the Governor, under oath; they shall also, at least twenty days preceding each regular session of the Legislative Assembly, make full and complete reports of their official transactions to the Governor, who shall transmit the same to the Legislative Assembly.

5. XIV.

When the Governor shall, with the consent of the Legislative Assembly, be out of the State in time of war at the head of any military force thereof, he shall continue commander.

NEBRASKA.

7. V.

The Governor shall, at the commencement of each session, and at the close of his term of office, and whenever the Legislature may require, give to the Legislature information, by message, of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall account to the Legislature, and accompany his message with a statement of all moneys received and paid out by him from any funds subject

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to his order, with vouchers, and at the commencement of each regular session, present estimates of the amount of money required to be raised by taxation for all purposes.

8. V.

The Governor may, on extraordinary occasions, convene the Legislature by proclamation, stating therein the purpose for which they are convened, and the Legislature shall enter upon no business except that for which they were called together.

9. V.

In case of a disagreement between the two houses with respect to adjournment, the Governor may, on the same being certified to him by the house first moving the adjournment, adjourn the Legislature to such time as he thinks proper, not beyond the first day of the next regular session.

10. V.

The Governor shall nominate, and by and with the advice and consent of the Senate (expressed by a majority of all the Senators elected voting, by yeas and nays), appoint all officers whose offices are established by this Constitution, or which may be created by law, and whose appointment or election is not otherwise by law or herein provided for; and no such officer shall be appointed or elected by the Legislature.

11. V.

In case of a vacancy during the recess of the Senate in any office which is not elective, the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall nominate some person to fill such office; and any person so nominated who is confirmed by

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the Senate (a majority of all the Senators elected concurring by voting yeas and nays), shall hold his office during the remainder of the term, and until his successor shall be appointed and qualified. No person, after being rejected by the Senate, shall again be nominated for the same office at the same session, unless at the request of the Senate, or be appointed to the same office during the recess of the Legislature.

14. V.

The Governor shall be commander-in-chief of the military and naval forces of the State (except when they shall be called into the service of the United States), and may call out the same to execute the law, suppress insurrection and repel invasion.

20. V.

If the office of Auditor of Public Accounts, Treasurer, Secretary of State, Attorney-General, Commissioner of Public Education shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office until his successor shall be elected and qualified, in such manner as may be provided by law.

24. V.

The salaries of the Governor, Auditor of Public Accounts and Treasurer shall be two thousand five hundred (\$2,500) dollars each per annum, and of the Secretary of State, Attorney-General, Superintendent of Public Instruction and Commissioner of Public Lands and Buildings shall be two thousand (\$2,000) dollars each per annum. The Lieutenant-Governor shall receive twice the compen-

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sation of a Senator, and after the adoption of this Constitution they shall not receive to their own use any fees, costs, interest upon public moneys in their hands or under their control, perquisites of office or other compensation, and all fees that may hereafter be payable by law for services performed by an officer, provided for in this article of the Constitution, shall be paid in advance into the State treasury. There shall be no allowance for clerk hire in the offices of the Superintendent of Public Instruction and Attorney-General.

NEVADA.

5. V.

The Governor shall be Commander-in-Chief of the military forces of this State, except when they shall be called into the service of the United States.

6. V.

He shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the officers of the executive department, upon any subject relating to the duties of their respective offices.

9. V.

The Governor may, on extraordinary occasions, convene the Legislature by proclamation, and shall state to both houses, when organized, the purpose for which they have been convened; and the Legislature shall transact no legislative business except that for which they were especially convened, or such other legislative business as the Governor may call to the attention of the Legislature while in session.

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10. V.

He shall communicate, by message, to the Legislature at every regular session, the condition of the State, and recommend such measures as he may deem expedient.

11. V.

In case of a disagreement between the two houses, with respect to the time of adjournment, the Governor shall have power to adjourn the Legislature to such time as he may think proper: Provided, It be not beyond the time fixed for the meeting of the next Legislature.

5. XVII.

For the first term of office succeeding the formation of a State government the salary of the Governor shall be four thousand dollars per annum; the salary of the Secretary of State shall be three thousand six hundred dollars per annum; the salary of the State Comptroller shall be three thousand six hundred dollars per annum; the salary of the State Treasurer shall be three thousand six hundred dollars per annum; the salary of the Surveyor-General shall be one thousand dollars per annum; the salary of the Attorney-General shall be two thousand five hundred dollars per annum; the salary of the Superintendent of Public Instruction shall be two thousand dollars per annum; the salary of each Judge of the Supreme Court shall be seven thousand dollars per annum; the salaries of the foregoing officers shall be paid quarterly out of the State treasury. The pay of State Senators and members of Assembly shall be eight dollars per day for each day of actual service, and forty

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cents per mile for mileage going to and returning from the place of meeting. No officer mentioned in this section shall receive any fee or perquisites to his own use for the performance of any duty connected with his office, or for the performance of any additional duty imposed upon him by law.

NEW HAMPSHIRE.

Art. 23. The Senate, Governor and Council shall have the same powers in like cases: Provided, That no imprisonment by either for any offense exceed ten days.

Art. 46. All judicial officers, the Attorney-General, coroners, and all officers of the navy and general and field officers of the militia, shall be nominated and appointed by the Governor and Council; and every such nomination shall be made at least three days prior to such appointment; and no appointment shall take place unless a majority of the Council agree thereto.

Art. 43. In cases of disagreement between the two houses with regard to the time or place of adjournment or prorogation, the Governor, with the advice of council, shall have the right to adjourn or prorogue the General Court, not exceeding ninety days at any one time, as he may determine the public good may require; and he shall dissolve the same seven days before the said first Wednesday of (January). And, in case of any infectious distemper prevailing in the place where the said court at any time is to convene, or any other cause whereby dangers may arise to the health or lives of the members from their attendance, the Governor may direct the session to be holden at some

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other, the most convenient, place within the State.

Art. 51. The Governor of this State, for the time being, shall be Commander-in-Chief of the army and navy and all the military forces of the State by sea and land; and shall have full power, by himself or by any chief commander or other officer or officers, from time to time, to train, instruct, exercise and govern the militia and navy; and, for the special defense and safety of this State, to assemble in martial array and put in warlike posture the inhabitants thereof, and to lead and conduct them, and with them to encounter, repulse, repel, resist and pursue by force of arms, as well by sea as by land, within and without the limits of this State; and, also, to kill, slay, destroy, if necessary, and conquer by all fitting ways, enterprise and means, all and every such person and persons as shall at any time hereafter, in a hostile manner, attempt or enterprise the destruction, invasion, detriment or annoyance of this State; and to use and exercise over the army and navy and over the militia in actual service the law martial in time of war, invasion, and, also, in rebellion declared by the Legislature to exist, as occasion shall necessarily require; and surprise by all ways and means whatsoever, all and every such person or persons, with their ships, arms, ammunition and other goods, as shall, in a hostile manner, invade or attempt the invading, conquering or annoying this State; and, in fine, the Governor hereby is intrusted with all other powers incident to the office as Captain-General and Commander-in-Chief and Admi-

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ral, to be exercised agreeably to the rules and regulations of the Constitution and laws of the land: Provided, That the Governor shall not at any time hereafter, by virtue of any power by this Constitution granted, or hereafter to be granted to him by the Legislature, transport any of the inhabitants of this State or oblige them to march out of the limits of the same without their free and voluntary consent or the consent of the General Court, nor grant commissions for exercising the law martial in any case without the advice and consent of the council.

Art. 57. All public boards, the Commissary-General, all superintending officers of public magazines and stores belonging to this State, and all commanding officers of forts and garrisons within the same, shall, once in every three months, officially and without requisition, and at other times when required by the Governor, deliver to him a account of all goods, stores, provisions, ammunition, cannon with their appendages, and all small arms with their accoutrements, and all other public property under their care respectively, distinguishing the quantity and kind of each as particularly as may be, together with the condition of such forts and garrisons. And the commanding officer shall exhibit to the Governor, when required by him, true and exact plans of such forts, and of the land and sea, or harbor or harbors, adjacent.

58.

The Governor and council shall be compensated for their services, from time to time, by such grants as the General Court shall think reasonable.

Art. 62. If any person thus chosen

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a Councilor shall be elected Governor or member of either branch of the Legislature and shall accept the trust, or if any person elected a Councilor shall refuse to accept the office, or in case of the death, resignation or removal of any Councilor out of the State, the Governor may issue a precept for the election of a new Councilor in that county where such vacancy shall happen; and the choice shall be in the same manner as before directed; and the Governor shall have full power and authority to convene the Council, from time to time, at his discretion; and, with them, or the majority of them, may and shall, from time to time, hold a Council for ordering and directing the affairs of this State, according to the laws of the land.

NEW JERSEY.

1. IV.

Each house shall direct writs of election for supplying vacancies occasioned by death, resignation, or otherwise; but if vacancies occur during the recess of the Legislature, the writs may be issued by the Governor, under such regulations as may be prescribed by law.

5. V.

The Governor shall, at stated times, receive for his services a compensation which shall be neither increased nor diminished during the period for which he shall have been elected.

6. V.

He shall be the Commander-in-Chief of all the military and naval forces of the State; he shall have power to convene the Legislature, or the Senate alone; whenever in his opinion public necessity requires it; he shall communicate by message to the Legislature

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at the opening of each session, and at such other times as he may deem necessary, the condition of the State, and recommend such measures as he may deem expedient; he shall take care that the laws be faithfully executed, and grant, under the great seal of the State, commissions to all such officers as shall be required to be commissioned.

NORTH CAROLINA.

13. II.

If vacancies shall occur in the General Assembly by death, resignation or otherwise, writs of election shall be issued by the Governor under such regulations as may be prescribed by law.

5. III.

The Governor shall reside at the seat of government of this State, and he shall, from time to time, give the General Assembly information of the affairs of the State, and recommend to their consideration such measures as he shall deem expedient.

7. III.

The officers of the executive department and of the public institutions of the State, shall at least five days previous to each regular session of the General Assembly, severally report to the Governor, who shall transmit such reports with his message to the General Assembly; and the Governor may, at any time, require information in writing from the officers in the executive department upon any subject relating to the duties of their respective offices, and shall take care that the laws be faithfully executed.

8. III.

The Governor shall be Commander-in-Chief of the militia of the State, except when they shall

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be called into the service of the United States.

9. III.

The Governor shall have power, on extraordinary occasions, by and with the advice of the Council of State, to convene the General Assembly in extra session by his proclamation, stating therein the purpose or purposes for which they are thus convened.

10. III.

The Governor shall nominate and, by and with the advice and consent of a majority of the Senators-elect, appoint all officers whose offices are established by this Constitution and whose appointments are not otherwise provided for.

13. III.

The respective duties of the Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, and Attorney-General, shall be prescribed by law. If the office of any of said officers shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to appoint another until the disability be removed or his successor be elected and qualified. Every such vacancy shall be filled by election at the first general election that occurs more than thirty days after the vacancy has taken place, and the person chosen shall hold the office for the remainder of the unexpired term fixed in the first section of this article.

9. IX.

The Governor shall be president, and the Superintendent of Public Instruction shall be secretary of the board of education.

3. XII.

The Governor shall be Commander-in-Chief, and shall have power to call out the militia to

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execute the law, suppress riots or insurrection, and to repel invasion.

NORTH DAKOTA.**44. II.**

The Governor shall issue writs of election to fill such vacancies as may occur in either house of the Legislative Assembly.

75. III.

The Governor shall be Commander-in-Chief of the military and naval forces of the State, except when they shall be called into the service of the United States, and may call out the same to execute the laws, suppress insurrection and repel invasion. He shall have power to convene the Legislative Assembly on extraordinary occasions. He shall at the commencement of each session communicate to the Legislative Assembly by message, information of the condition of the State, and recommend such measures as he shall deem expedient. He shall transact all necessary business with the officers of the government, civil and military. He shall expedite all such measures as may be resolved upon by the Legislative Assembly, and shall take care that the laws be faithfully executed.

78. III.

When any office shall, from any cause, become vacant, and no mode is provided by the Constitution or law for filling such vacancy, the Governor shall have power to fill such vacancy by appointment.

84. III.

Until otherwise provided by law, the Governor shall receive an annual salary of \$3,000; the Lieutenant-Governor shall receive an annual salary of \$1,000; the Secretary of State, Auditor, Treas-

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urer, Superintendent of Public Instruction, Commissioner of Insurance, Commissioners of Railroads and Attorney-General shall each receive an annual salary of \$2,000; the salary of the Commissioner of Agriculture and Labor shall be as prescribed by law, but the salaries of any of the said officers shall not be increased or diminished during the period for which they shall have been elected, and all fees and profits arising from any of the said offices shall be covered into the State treasury.

OHIO.**6. III.**

He may require information, in writing, from the officers in the executive department, upon any subject relating to the duties of their respective offices, and shall see that the laws are faithfully executed.

7. III.

He shall communicate at every session, by message, to the General Assembly, the condition of the State, and recommend such measures as he shall deem expedient.

8. III.

He may, on extraordinary occasions, convene the General Assembly, by proclamation, and shall state to both houses, when assembled, the purpose for which they have been convened.

9. III.

In case of a disagreement between the two houses in respect to the time of adjournment, he shall have power to adjourn the General Assembly to such time as he may think proper, but not beyond the regular meetings thereof.

10. III.

He shall be Commander-in-Chief

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of the military and naval forces of the State, except when they shall be called into the service of the United States.

20. III.

The officers of the executive department and of the public State institutions shall, at least five days preceding each regular session of the General Assembly, severally report to the Governor, who shall transmit such reports, with his message, to the General Assembly.

3. VII.

The Governor shall have power to fill all vacancies that may occur in the offices aforesaid, until the next session of the General Assembly, and until a successor to his appointee shall be confirmed and qualified.

OREGON.

9. V.

The Governor shall be Commander-in-chief of the military and naval forces of this State, and may call out such forces to execute the laws, to suppress insurrection, or to repel invasion.

10. V.

He shall take care that the laws be faithfully executed.

11. V.

He shall, from time to time, give to the Legislative Assembly information touching the condition of the State, and recommend such measures as he shall judge to be expedient.

12. V.

He may, on extraordinary occasions, convene the Legislative Assembly by proclamation, and shall state to both houses, when assembled, the purpose for which they shall have been convened.

13. V.

He shall transact all necessary business with the officers of

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government, and may require information, in writing, from the officers of the administrative and military departments upon any subject relating to the duties of their respective offices.

16. V.

When, during a recess of the Legislative Assembly, a vacancy shall happen in any office, the appointment of which is vested in the legislative assembly or when at any time a vacancy shall have occurred in any other State office, or in the office or judge of any court, the Governor shall fill such vacancy by appointment, which shall expire when a successor shall have been elected and qualified.

17. V.

He shall issue writs of election to fill such vacancies as may have occurred in the Legislative Assembly.

5. VI.

The Governor, and the Secretary, and Treasurer of State, shall severally keep the public records, books and papers, in any manner relating to their respective offices at the seat of government, at which place also the Secretary of State shall reside.

1. XIII.

The Governor shall receive an annual salary of fifteen hundred dollars. The Secretary of State shall receive an annual salary of fifteen hundred dollars. The Treasurer of the State shall receive an annual salary of eight hundred dollars. The judges of the Supreme Court shall each receive an annual salary of two thousand dollars. They shall receive no fees or perquisites whatever for the performance of any duties connected with their respective offices; and the compensation of officers,

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if not fixed by this Constitution, shall be provided by law.

PENNSYLVANIA.

25. III.

When the General Assembly shall be convened in special session, there shall be no legislation upon subjects other than those designated in the proclamation of the Governor calling such session.

7. IV.

The Governor shall be Commander-in-Chief of the army and navy of the Commonwealth, and of the militia, except when they are called into the actual service of the United States.

8. IV.

He shall nominate and, by and with the advice and consent of two-thirds of all the members of the Senate, appoint a Secretary of the Commonwealth and an Attorney-General during pleasure, a Superintendent of Public Instruction for four years, and such other officers of the Commonwealth as he is or may be authorized by the Constitution or any law to appoint; he shall have power to fill all vacancies that may happen, in offices to which he may appoint during the recess of the Senate, by granting commissions which shall expire at the end of their next session; he shall have power to fill any vacancy that may happen, during the recess of the Senate, in the office of Auditor-General, State Treasurer, Secretary of Internal Affairs or Superintendent of Public Instruction, in a judicial office, or in any other elective office which he is or may be authorized to fill; if the vacancy shall happen during the session of the Senate, the Governor shall nominate to the Senate, before their final ad-

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journalment, a proper person to fill said vacancy; but in any such case of vacancy, in an elective office, a person shall be chosen to said office at the next general election, unless the vacancy shall happen within three calendar months immediately preceding such election, in which case the election for said office shall be held at the second succeeding general election. In acting on executive nominations the Senate shall sit with open doors, and, in confirming or rejecting the nominations of the Governor, the vote shall be taken by yeas and nays, and shall be entered on the journal.

10. IV.

He may require information in writing from the officers of the executive department upon any subject relating to the duties of their respective offices.

11. IV.

He shall, from time to time, give to the General Assembly information of the state of the Commonwealth, and recommend to their consideration such measures as he may judge expedient.

12. IV.

He may, on extraordinary occasions, convene the General Assembly, and in case of disagreement between the two houses, with respect to the time of adjournment, adjourn them to such time as he shall think proper, not exceeding four months. He shall have power to convene the Senate in extraordinary session by proclamation for the transaction of executive business.

16. IV.

The Governor shall have power to disapprove of any item or items of any bill, making appropriations of money, embracing distinct items, and the part or parts of the bill approved shall be the

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law, and the item or items of appropriation disapproved shall be void, unless repassed according to the rules and limitations prescribed for the passage of other bills over the executive veto.

RHODE ISLAND.**2. VII.**

The Governor shall take care that the laws be faithfully executed.

3. VII.

He shall be captain-general and commander-in-chief of the military and naval forces of the State, except when they shall be called into the service of the United States.

5. VII.

He shall fill vacancies in office not otherwise provided for by this Constitution or by law, until the same shall be filled by the General Assembly, or by the people.

6. VII.

In case of disagreement between the two houses of the General Assembly, respecting the time or place of adjournment, certified to him by either, he may adjourn them to such time and place as he shall think proper: Provided, That the time of adjournment shall not be extended beyond the day of the next stated session.

7. VII.

He may, on extraordinary occasions, convene the General Assembly at any town or city in this State, at any time not provided for by law; and in case of danger from the prevalence of epidemic or contagious disease, in the place in which the General Assembly are by law to meet, or to which they may have been adjourned, or for other urgent reasons, he may, by pro-

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clamation, convene said assembly at any other place within this State.

11. VII.

The compensation of the Governor and Lieutenant-Governor shall be established by law, and shall not be diminished during the term for which they are elected.

SOUTH CAROLINA.**10. III.**

The Governor shall be Commander-in-Chief of the militia of the State, except when they shall be called into the actual service of the United States.

12. III.

He shall take care that the laws be faithfully executed, in mercy.

13. III.

The Governor and Lieutenant-Governor shall, at stated times, receive for their service a compensation, which shall be neither increased or diminished during the period for which they shall have been elected.

14. III.

All officers in the executive department shall, when required by the Governor, give him information, in writing, upon any subject relating to the duties of their respective offices.

15. III.

The Governor shall, from time to time, give to the General Assembly information of the condition of the State, and recommend to their consideration such measures as he shall judge necessary or expedient.

16. III.

He may, on extraordinary occasions, convene the General Assembly; and should either house remain without a quorum for five days, or in case of disagreement between the two

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houses with respect to the time of adjournment, may adjourn them to such time as he shall think proper, not beyond the time of the annual session then next ensuing.

17. III.

He shall commission all officers of the State.

21. III.

The Governor shall reside at the capital of the State; but during the sittings of the General Assembly he shall reside where its sessions are held, except in case of contagion.

3. XI.

The directors of the benevolent and other State institutions, such as may be hereafter created, shall be appointed by the Governor, by and with the consent of the Senate; and upon all nominations made by the Governor the question shall be taken by yeas and nays and entered upon the journals.

4. XI.

The Governor shall have power to fill all vacancies that may occur in the offices aforesaid until the next session of the General Assembly, and until a successor or successors shall be appointed and confirmed.

6. XI.

The physician of the lunatic asylum, who shall be superintendent of the same, shall be appointed by the Governor, with the advice and consent of the Senate. All other necessary officers and employes shall be appointed by the Governor.

SOUTH DAKOTA.

10. III.

The Governor shall issue writs of election to fill such vacancies as may occur in either house of the Legislature.

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4. IV.

The Governor shall be commander-in-chief of the military and naval forces of the State, except when they shall be called into the service of the United States, and may call out the same to execute laws, suppress insurrection and repel invasion. He shall have power to convene the Legislature on extraordinary occasions. He shall, at the commencement of each session, communicate to the Legislature, by message, information of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall transact all necessary business with the officers of the government, civil and military. He shall expedite all such measures as may be resolved upon by the Legislature, and shall take care that the laws be faithfully executed.

8. IV.

When any office shall, from any cause, become vacant, and no mode is provided by the Constitution or law for filling such vacancy, the Governor shall have the power to fill such vacancy by appointment.

13. V.

The Governor shall have authority to require the opinions of the judges of the Supreme Court upon important questions of law involved in the exercise of his executive powers and upon solemn occasions.

12. VIII.

The Governor may disapprove any sale, lease or investment other than such as are intrusted to the counties.

2. XXI.

The Governor shall receive an annual salary of two thousand five hundred dollars; the judges of the Supreme Court shall each

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receive an annual salary of two thousand five hundred dollars; the judges of the Circuit Courts shall each receive an annual salary of two thousand dollars: Provided, That the Legislature may, after the year one thousand eight hundred and ninety, increase the annual salary of the Governor and each of the judges of the Supreme Court to three thousand dollars, and the annual salary of each of the Circuit Court judges to two thousand five hundred dollars.

The Secretary of State, State Treasurer and State Auditor shall each receive an annual salary of one thousand eight hundred dollars; the Commissioner of Schools and Public Lands shall receive an annual salary of one thousand eight hundred dollars; the Superintendent of Public Instruction shall receive an annual salary of one thousand eight hundred dollars; the Attorney-General shall receive an annual salary of one thousand dollars; the compensation of the Lieutenant-Governor shall be double the compensation of a State Senator.

They shall receive no fees or perquisites whatever for the performance of any duties connected with their offices. It shall not be competent for the Legislature to increase the salaries of the officers named in this article except as herein provided.

TENNESSEE.

15. II.

When vacancies happen in either house, the Governor, for the time being, shall issue writs of election to fill such vacancies.

5. III.

He shall be commander-in-chief of the army and navy of this State, and of the militia, except when they shall be called into

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the service of the United States; but the militia shall not be called into service except in case of rebellion or invasion, and then only when the General Assembly shall declare by law that the public safety requires it.

7. III.

He shall, at stated times, receive a compensation for his services, which shall not be increased or diminished during the period for which he shall have been elected.

8. III.

He may require information, in writing, from the officers in the executive department, upon any subject relating to the duties of their respective offices.

9. III.

He may, on extraordinary occasions, convene the General Assembly by proclamation, in which he shall state specifically the purposes for which they are to convene; but they shall enter on no legislative business except that for which they were specifically called together.

10. III.

He shall take care that the laws be faithfully executed.

11. III.

He shall, from time to time, give to the General Assembly information of the state of the government, and recommend for their consideration such measures as he shall judge expedient.

14. III.

When any officer, the right of whose appointment is by this Constitution vested in the General Assembly, shall, during the recess, die, or the office, by the expiration of the term, or by other means, become vacant, the Governor shall have power to fill such vacancy by granting a temporary commission, which

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shall expire at the end of the next session of the Legislature.

TEXAS.

13. III.

When vacancies occur in either house, the Governor, or the person exercising the power of the Governor, shall issue writs of election to fill such vacancies; and should the Governor fail to issue a writ of election to fill any such vacancy within twenty days after it occurs, the returning officer of the district in which such vacancy may have happened shall be authorized to order an election for that purpose.

40. III.

When the Legislature shall be convened in special session, there shall be no legislation upon subjects other than those designated in the proclamation of the Governor calling such session, or presented to them by the Governor; and no such session shall be of longer duration than thirty days.

5. IV.

He shall, at stated times, receive as compensation for his services an annual salary of four thousand dollars, and no more, and shall have the use and occupation of the Governor's mansion, fixtures and furniture.

7. IV.

He shall be Commander-in-Chief of the military forces of the State, except when they are called into actual service of the United States. He shall have power to call forth the militia to execute the laws of the State, to suppress insurrection, repel invasion, and protect the frontier from hostile incursions by Indians or other predatory bands.

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8. IV.

The Governor may, on extraordinary occasions, convene the Legislature at the seat of government, or at a different place in case that should be in possession of the public enemy, or in case of the prevalence of disease thereat. His proclamation therefor shall state specifically the purpose for which the Legislature is convened.

9. IV.

The Governor shall, at the commencement of each session of the Legislature, and at the close of his term of office, give to the Legislature information, by message, of the condition of the State; and he shall recommend to the Legislature such measures as he may deem expedient. He shall account to the Legislature for all public moneys received and paid out by him from any funds subject to his order, with vouchers; and shall accompany his message with a statement of the same. And at the commencement of each regular session he shall present estimates of the amount of money required to be raised by taxation for all purposes.

10. IV.

He shall cause the laws to be faithfully executed; and shall conduct, in person, or in such manner as shall be prescribed by law, all intercourse and business of the State with other States and with the United States.

13. IV.

During the session of the Legislature the Governor shall reside where its sessions are held, and at all other times at the seat of government, except when by act of the Legislature he may be re-

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quired or authorized to reside elsewhere.

24. IV.

An account shall be kept by the officers of the executive department, and by all officers and managers of State institutions, of all moneys and choses in action received and disbursed or otherwise disposed of by them, severally, from all sources, and for every service performed; and a semi-annual report thereof shall be made to the Governor under oath. The Governor may, at any time, require information in writing from any and all of said officers or managers upon any subject relating to the duties, condition, management and expenses of their respective offices and institutions, which information shall be required by the Governor under oath, and the Governor may also inspect their books, accounts, vouchers and public funds; and any officer or manager who at any time shall willfully make a false report or give false information, shall be guilty of perjury, and so adjudged and punished accordingly, and removed from office.

26. IV.

The Governor, by and with the advice and consent of two-thirds of the Senate, shall appoint a convenient number of notaries public for each county, who shall perform such duties as now are or may be prescribed by law.

VERMONT.

11.

The Governor, and in his absence the Lieutenant-Governor, with the Council (a major part of whom, including the Governor, or Lieutenant-Governor, shall be a quorum to transact business), shall have power to com-

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mission all officers—and also to appoint officers, except where provision is, or shall be otherwise made, by law or this frame of government—and shall supply every vacancy in any office, occasioned by death or otherwise, until the office can be filled in the manner directed by law or this Constitution. They are to correspond with other States—transact business with officers of government, civil and military—and to prepare such business as may appear to them necessary, to lay before the General Assembly. They shall sit as judges to hear and determine on impeachments, taking to their assistance, for advice only, the judges of the Supreme Court. And shall have power to grant pardons and remit fines, in all cases whatsoever, except in treason and murder; in which they shall have power to grant reprieves, but not to pardon, until after the end of the next session of the General Assembly; and except in cases of impeachment, in which there shall be no remission, or mitigation of punishment, but by act of legislation. They are also to take care that the laws be faithfully executed. They are to expedite the execution of such measures as may be resolved upon by the General Assembly. And they may draw upon the treasury for such sums as may be appropriated by the House of Representatives. They may also lay embargoes, or prohibit the exportation of any commodity, for any time not exceeding thirty days, in the recess of the House only. They may grant such licenses as shall be directed by law; and shall have power to call together the General Assembly, when necessary, before

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the day to which they shall stand adjourned. The Governor shall be captain-general and commander-in-chief of the forces of the State, but shall not command in person, except advised thereto by the Council, and then only so long as they shall approve thereof. And the Lieutenant-Governor shall, by virtue of his office, be lieutenant-general of all the forces of the State. The Governor, or Lieutenant-Governor, and the Council, shall meet at the time and place with the General Assembly; the Lieutenant-Governor shall, during the presence of the commander-in-chief, vote and act as one of the Council; and the Governor, and, in his absence, the Lieutenant-Governor, shall, by virtue of their offices, preside in Council, and have a casting but no other vote. Every member of the Council shall be a Justice of the peace for the whole State, by virtue of his office. The Governor and Council shall have a secretary, and keep fair books of their proceedings, wherein any councillor may enter his dissent, with his reasons to support it; and the Governor may appoint a secretary for himself and his Council.

16.

To the end that the laws, before they are enacted, may be more maturely considered, and the inconvenience of hasty determinations as much as possible prevented, all bills which originate in the Assembly shall be laid before the Governor and Council for their revision and concurrence or proposals of amendment, which shall return the same to the Assembly, with their proposal of amendment, if any, in writing; and if the same are not agreed to by the

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Assembly, it shall be in the power of the Governor and Council to suspend the passing of such bills until the next session of the Legislature: Provided, That if the Governor and Council shall neglect or refuse to return any such bill to the Assembly, with written proposals of amendment, within five days, or before the rising of the Legislature, the same shall become a law.

VIRGINIA.

5. IV.

He shall take care that the laws be faithfully executed; communicate to the General Assembly at every session the condition of the Commonwealth; recommend to their consideration such measures as he may deem expedient, and convene the General Assembly on application of two-thirds of the members of both houses thereof, or when, in his opinion, the interest of the Commonwealth may require it. He shall be Commander-in-Chief of the land and naval forces of the State; have power to embody the militia to repel invasion, suppress insurrection, and enforce the execution of the laws; conduct, either in person or in such manner as shall be prescribed by law, all intercourse with other and foreign States; and during the recess of the General Assembly, to fill, pro tempore, all vacancies in those offices for which the Constitution and laws make no provision; but his appointments to such vacancies shall be by commissions, to expire at the end of thirty days after the commencement of the next session of the General Assembly. He shall have power to remit fines and penalties in such cases and under

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such rules and regulations as may be prescribed by law, and except when the prosecution has been carried on by the House of Delegates; to grant reprieves and pardons after conviction; to remove political disabilities consequent upon conviction for offenses committed prior or subsequent to the adoption of this Constitution, and to commute capital punishment; but he shall communicate to the General Assembly, at each session, particulars of every case of fine or penalty remitted, of reprieve or pardon granted, and of punishment commuted, with his reasons for remitting, granting or commuting the same.

4. IV.

The Governor shall reside at the seat of government; shall receive five thousand dollars for each year of his service, and while in office shall receive no other emolument from this or any other government.

6. IV.

He may require information, in writing, from the officers in the executive department, upon any subject relating to the duties of their respective offices; and may also require the opinion, in writing, of the Attorney-General upon any question of law connected with his duties.

WASHINGTON.

5. III.

The Governor may require information, in writing, from the officers of the State upon any subject relating to the duties of their respective offices, and shall see that the laws are faithfully executed.

6. III.

He shall communicate at every session by message to the Legislature the condition of the

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affairs of the State, and recommend such measures as he shall deem expedient for their action.

7. III.

He may, on extraordinary occasions, convene the Legislature by proclamation, in which shall be stated the purpose for which the Legislature is convened.

8. III.

He shall be Commander-in-Chief of the military in the State, except when they shall be called into the service of the United States.

14. III.

The Governor shall receive an annual salary of four thousand dollars, which may be increased by law, but shall never exceed six thousand dollars per annum.

WEST VIRGINIA.

19. VI.

The Governor may convene the Legislature by proclamation whenever, in his opinion, the public safety or welfare shall require it. It shall be his duty to convene it, on application in writing, of three-fifths of the members elected to each house.

21. VI.

The Governor may convene the Legislature at another place, when, in his opinion, it cannot safely assemble, at the seat of government, and the Legislature may, when in session, adjourn to some other place, when, in his opinion, the public safety or welfare, or the safety of the members, or their health shall require it.

6. VII.

The Governor shall, at the commencement of each session, give to the Legislature information by message of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall accompany his

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message with a statement of all money received and paid out by him, from any funds, subject to his order, with vouchers therefor; and at the commencement of each regular session present estimates of the amount of money required by taxation for all purposes.

7. VII.

The Governor may, on extraordinary occasions, convene, at his own instance, the Legislature; but when so convened it shall enter upon no business except that stated in the proclamation by which it was called together.

12. VII.

The Governor shall be Commander-in-Chief of the military forces of the State (except when they shall be called into the service of the United States), and may call out the same to execute the laws, suppress insurrection and repel invasion.

18. VII.

The subordinate officers of the executive department and the officers of all the public institutions of the State, shall, at least ten days preceding each regular session of the Legislature, severally report to the Governor, who shall transmit such report to the Legislature; and the Governor may at any time require information in writing, under oath, from the officers of his department, and all officers and managers of State institutions, upon any subject relative to the condition, management and expenses of their respective offices.

19. VII.

The Governor shall receive for his service a salary of twenty-seven hundred dollars per annum, and no additional emolument, allowance or perquisite shall be paid or made to him, on any account.

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Any person acting as Governor shall receive the emoluments of that office. The Secretary of State shall receive one thousand; the State Superintendent of Free Schools, fifteen hundred; the Treasurer, fourteen hundred; the Auditor, two thousand, and the Attorney-General, thirteen hundred dollars, per annum; and no additional emolument or allowance, except as herein otherwise provided, shall be paid or made out of the treasury of the State to any of the foregoing executive officers on any account.

WISCONSIN.

14. IV.

The Governor shall issue writs of election to fill such vacancies as may occur in either house of the Legislature.

4. V.

The Governor shall be Commander-in-Chief of the military and naval forces of the State. He shall have the power to convene the Legislature on extraordinary occasions; and in case of invasion, or danger from the prevalence of contagious disease at the seat of the government, he may convene them at any other suitable place within the State. He shall communicate to the Legislature, at every session, the condition of the State, and recommend such matter to them for their consideration, as he may deem expedient. He shall transact all necessary business with the officers of the Government, civil and military. He shall expedite all such measures, as may be resolved upon by the Legislature, and shall take care that the laws be faithfully executed.

5. V.

The Governor shall receive during his continuance in office, an annual compensation of one

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thousand two hundred and fifty dollars.

5.

The Governor shall receive during his continuance in office, an annual compensation of five thousand dollars, which shall be in full for all traveling or other expenses incident to his duties.

WYOMING.

4. IV.

The Governor shall be Commander-in-Chief of the military forces of the State, except when they are called into the service of the United States, and may call out the same to execute the laws, suppress insurrection and repel invasion. He shall have power to convene the Legislature on extraordinary occasions. He shall, at the commencement of each session, communicate to the Legislature by message, information of the condition of the State, and recommend such measures as he shall deem expedient. He shall transact all necessary business with the officers of the government, civil and military. He shall expedite all such measures as may be resolved upon by the Legislature and shall take care that the laws be faithfully executed.

7. IV.

When any office from any cause becomes vacant, and no mode is provided by the Constitution or law for filling such vacancy, the Governor shall have power to fill the same by appointment.

13. IV.

Until otherwise provided by law, the Governor shall receive an annual salary of two thousand five hundred dollars, the Secretary of State, State Auditor, State Treasurer and Superintendent of Public Instruction shall each receive an annual

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salary of two thousand dollars, and the salaries of any said officers shall not be increased or diminished during the period for which they were elected, and all fees and profits arising from any of the said offices shall be covered into the State treasury.

5. XVII.

The Governor shall be commander-in-chief of all of the military forces of the State, and shall have power to call out the militia to preserve the public peace, to execute the laws of the State, to suppress insurrection or repel invasion.

13. XXI.

The Governor-elect of the State, immediately upon his qualifying and entering upon the duties of his office, shall issue his proclamation convening the Legislature of the State at the seat of government, on a day to be named in said proclamation, and which shall not be less than thirty nor more than sixty days after the date of such proclamation. Within ten days after the organization of the Legislature, both houses of the Legislature, in joint session, shall then and there proceed to elect, as provided by law, two Senators of the United States for the State of Wyoming. At said election the two persons who shall receive the majority of all the votes cast by said Senators and Representatives shall be elected as such United States Senators, and shall be so declared by the presiding officers of said joint session. The presiding officers of the Senate and House shall issue a certificate to each of said Senators certifying his election, which certificate shall also be signed by the Governor and attested by the Secretary of State.

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PARDONING POWERS VESTED IN THE GOVERNOR.

1 Sec. 5. The Governor shall have the power to grant
 2 reprieves, commutations and pardons after conviction, for all
 3 offenses except treason and cases of impeachment, upon such
 4 conditions and with such restrictions and limitations as he
 5 may think proper, subject to such regulations as may be pro-
 6 vided by law relative to the manner of applying for pardons.
 7 Upon conviction for treason, he shall have power to suspend
 8 the execution of the sentence, until the case shall be reported
 9 to the Legislature at its next meeting, when the Legislature
 10 shall either pardon, or commute the sentence, direct the execu-
 11 tion of the sentence, or grant a further reprieve. He shall
 12 annually communicate to the Legislature each case of reprieve,
 13 commutation or pardon granted, stating the name of the con-
 14 vict, the crime of which he was convicted, the sentence and its
 15 date, and the date of the commutation, pardon or reprieve.

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ALABAMA.**12. V.**

The Governor shall have power to remit fines and forfeitures, under such rules and regulations as may be prescribed by law, and after conviction, to grant reprieves, commutation of sentence and pardons (except in cases of treason and impeachment); but pardons in cases of murder, arson, burglary, rape, assault, with attempt to commit rape, perjury, forgery, bribery and lar-

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ceny, shall not relieve from civil and political disability, unless specifically expressed in the pardon. Upon conviction of treason, the Governor may suspend the execution of the sentence, and report the same to the General Assembly at the next regular session, when the General Assembly shall either pardon, commute the sentence, direct its execution, or grant further reprieve. He shall communicate to the General Assembly at every regu-

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lar session, each case of reprieve, commutation or pardon granted, with his reasons therefor; stating the name and crime of the convict, the sentence, its date and the date of reprieve, commutation or pardon.

ARKANSAS.**18. VI.**

In all criminal and penal cases, except in those of treason and impeachment, the Governor shall have power to grant reprieves, commutations of sentence and pardons after conviction; and to remit fines and forfeitures under such rules and regulations as shall be prescribed by law. In cases of treason he shall have power, by and with the advice and consent of the Senate, to grant reprieves and pardons; and he may, in the recess of the Senate, respite the sentence until the adjournment of the next regular session of the General Assembly. He shall communicate to the General Assembly at every regular session each case of reprieve, commutation or pardon, with his reasons therefor, stating the name and crime of the convict, the sentence, its date and the date of the commutation, pardon or reprieve.

CALIFORNIA.**1. VII.**

The Governor shall have the power to grant reprieves, pardons and commutations of sentence, after conviction, for all offenses except treason and cases of impeachment, upon such conditions, and with such restrictions and limitations, as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon

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conviction for treason, the Governor shall have power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next meeting, when the Legislature shall either pardon, direct the execution of the sentence, or grant a further reprieve. The Governor shall communicate to the Legislature, at the beginning of every session, every case of reprieve or pardon granted, stating the name of the convict, the crime for which he was convicted, the sentence, its date, the date of the pardon or reprieve, and the reasons for granting the same. Neither the Governor nor the Legislature shall have power to grant pardons, or commutations of sentence, in any case where the convict has been twice convicted of a felony, unless upon the written recommendation of a majority of the Judges of the Supreme Court.

COLORADO.**7. IV.**

The Governor shall have the power to grant reprieves, commutations and pardons after conviction, for all offenses except treason, and except in case of impeachment, subject to such regulations as may be prescribed by law relative to the manner of applying for pardons, but he shall in every case where he may exercise this power, send to the General Assembly, at its first session thereafter, a transcript of the petition, all proceedings, and the reason for his action.

CONNECTICUT.**10. IV.**

The Governor shall have power to grant reprieves after conviction, in all cases except those

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of impeachment, until the end of the next session of the General Assembly, and no longer.

DELAWARE.

9. III.

He shall have power to remit fines and forfeitures, and to grant reprieves and pardons, except in cases of impeachment. He shall set forth in writing, fully, the grounds of all reprieves, pardons and remissions, to be entered in the register of his official acts, and laid before the General Assembly at their next session.

FLORIDA.

11. IV.

The Governor shall have power to suspend the collection of fines and forfeitures, and grant reprieves for a period not exceeding sixty days, for all offenses, except in cases of impeachment. In cases of conviction for treason, he shall have power to suspend the execution of sentence until the case shall be reported to the Legislature at its next session, when the Legislature shall either pardon, direct the execution of the sentence, or grant a further reprieve; and if the Legislature shall fail or refuse to make disposition of such case, the sentence shall be enforced at such time and place as the Governor may direct. He shall communicate to the Legislature, at the beginning of every session, every case of fine or forfeiture remitted, or reprieve, pardon or commutation granted, stating the name of the convict, the crime for which he was convicted, the sentence, its date, and the date of its remission, commutation, pardon or reprieve.

12. IV.

The Governor, Justices of the Su-

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preme Court, and Attorney-General, or a major part of them, of whom the Governor shall be one, may, upon such conditions, and with such limitations and restrictions as they may deem proper, remit fines and forfeitures, commute punishment and grant pardons after conviction, in all cases except treason and impeachment, subject to such regulations as may be prescribed by law relative to the manner of applying for pardons.

GEORGIA.

1. V.

Par. XII. He shall have power to grant reprieves and pardons, to commute penalties, remove disabilities imposed by law, and to remit any part of a sentence for offenses against the State, after conviction, except in cases of treason and impeachment, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction of treason he may suspend the execution of the sentence and report the case to the General Assembly at the next meeting thereof, when the General Assembly shall either pardon, commute the sentence, direct its execution or grant a further reprieve. He shall, at each session of the General Assembly, communicate to that body each case of reprieve, pardon or commutation granted, stating the name of the convict, the offense for which he was convicted, the sentence and its date, the date of the reprieve, pardon or commutation, and the reasons for granting the same. He shall take care that the laws are faithfully executed, and shall be a conservator of the peace throughout the State.

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IDAHO.

7. IV.

The Governor, Secretary of State and Attorney-General shall constitute a board to be known as the Board of Pardons. Said board, or a majority thereof, shall have power to remit fines and forfeitures, and to grant commutations and pardons after conviction and judgment, either absolutely or upon such conditions as they may impose, in all cases of offenses against the State except treason or conviction on impeachment. The Legislature shall by law prescribe the sessions of said board and the manner in which application shall be made and regulate the proceedings thereon; but no fine or forfeiture shall be remitted, and no commutation or pardon granted, except by the decision of a majority of said board, after a full hearing in open session, and until previous notice of the time and place of such hearing and the release applied for shall have been given by publication in some newspaper of general circulation at least once a week for four weeks. The proceedings and decision of the board shall be reduced to writing and with their reasons for their action in each case, and the dissent of any member who may disagree, signed by him, and filed, with all papers used upon the hearing, in the office of the Secretary of State.

The Governor shall have power to grant respites or reprieves in all cases of convictions for offenses against the State, except treason or conviction on impeachment, but such respites or reprieves shall not extend beyond the next session of the Board of Pardons; and such board shall

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at such session continue or determine such respite or reprieve, or they may commute or pardon the offense, as herein provided. In cases of conviction for treason the Governor shall have the power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next regular session, when the Legislature shall either pardon or commute the sentence, direct its execution, or grant a further reprieve. He shall communicate to the Legislature, at each regular session, each case of remission of fine or forfeiture, reprieve, commutation or pardon granted since the last previous report, stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date of remission, commutation, pardon or reprieve, with the reasons for granting the same, and the objections, if any, of any member of the board made thereto.

ILLINOIS.

13. V.

The Governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses, subject to such regulations as may be provided by law relative to the manner of applying therefor.

INDIANA.

17. V.

He shall have the power to grant reprieves, commutations and pardons, after conviction, for all offenses except treason and cases of impeachment, subject to such regulations as may be provided by law. Upon conviction for treason, he shall have power to suspend the execution of the sentence until the case shall be

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reported to the General Assembly at its next meeting, when the General Assembly shall either grant a pardon, commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall have power to remit fines and forfeitures, under such regulations as may be prescribed by law, and shall report to the General Assembly at its next meeting each case of reprieve, commutation or pardon granted, and also the names of all persons in whose favor remission of fines and forfeitures shall have been made, and the several amounts remitted: Provided, however, That the General Assembly may, by law, constitute a council, to be composed of officers of State, without whose advice and consent the Governor shall not have power to grant pardons, in any case, except such as may by law be left to his sole power.

IOWA.

16. IV.

The Governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses except treason and cases of impeachment, subject to such regulations as may be provided by law. Upon conviction for treason, he shall have power to suspend the execution of the sentence until the case shall be reported to the General Assembly at its next meeting, when the General Assembly shall either grant a pardon, commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall have power to remit fines and forfeitures, under such regulations as may be prescribed by law; and shall report to the General Assembly, at its

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next meeting, each case of reprieve, commutation or pardon granted, and the reason therefor; and also all persons in whose favor remission of fines and forfeitures shall have been made, and the several amounts remitted.

KANSAS.

7. I.

The pardoning power shall be vested in the Governor, under regulations and restrictions prescribed by law.

KENTUCKY.

77.

He shall have power to remit fines and forfeitures, commute sentences, grant reprieves and pardons, except in case of impeachment, and he shall file with each application therefor a statement of the reasons for his decision thereon, which application and statement shall always be open to public inspection. In cases of treason, he shall have power to grant reprieves until the end of the next session of the General Assembly, in which the power of pardoning shall be vested; but he shall have no power to remit the fees of the clerk, sheriff or Commonwealth's attorney in penal or criminal cases.

240.

The Governor shall have power, after five years from the time of the offense, to pardon any person who shall have participated in a duel as principal, second or otherwise, and to restore him to all the rights, privileges and immunities to which he was entitled before such participation. Upon presentation of such pardon the oath prescribed in section two hundred and twenty-eight shall be varied to suit the case.

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Sec. Art.

LOUISIANA.

66.

The Governor shall have power to grant reprieves for all offenses against the State, and, except in cases of impeachment or treason, shall, upon the recommendation in writing of the Lieutenant-Governor, Attorney-General and presiding judge of the court before which conviction was made, or any two of them, have power to grant pardons, commute sentences and remit fines and forfeitures after conviction. In cases of treason, he may grant reprieves until the end of the next session of the General Assembly, in which body the power of pardoning is vested.

MAINE.

11. V.

He shall have power, with the advice and consent of the Council, to remit, after conviction, all forfeitures and penalties, and to grant reprieves, commutations and pardons, except in cases of impeachment, upon such conditions and with such restrictions and limitations as may be deemed proper, subject to such regulations as may be provided by law, relative to the manner of applying for pardons. And he shall communicate to the Legislature, at each session thereof, each case of reprieve, remission of penalty, commutation or pardon granted, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of the reprieve, remission, commutation or pardon, and the conditions, if any, upon which the same was granted.

MARYLAND.

20. II.

He shall have power to grant re-

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prives and pardons, except in cases of impeachment, and in cases in which he is prohibited by other articles of this Constitution; and to remit fines and forfeitures for offenses against the State; but shall not remit the principal or interest of any debt due the State, except in cases of fines or forfeitures; and before granting a nolle prosequi, or pardon, he shall give notice, in one or more newspapers, of the application made for it, and of the day on or after which his decision will be given; and in every case in which he exercises this power, he shall report to either branch of the Legislature, whenever required, the petitions, recommendations and reasons which influenced his decision.

MASSACHUSETTS.

1. II.

VIII. The power of pardoning offenses, except such as persons may be convicted of before the Senate by an impeachment of the house, shall be in the Governor, by and with the advice of council; but no charter of pardon, granted by the Governor, with advice of the council before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offense or offenses intended to be pardoned.

MICHIGAN.

11. V.

He may grant reprieves, commutations, and pardons after convictions for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to regulations provided by law relative to the manner

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of applying for pardons. Upon convictions for treason, he may suspend the execution of the sentence until the case shall be reported to the Legislature at its next session, when the Legislature shall either pardon or commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall communicate to the Legislature at each session information of each case of reprieve, commutation or pardon granted, and the reason therefor.

MISSISSIPPI.

124. V.

In all criminal and penal cases, excepting those of treason and impeachment, the Governor shall have power to grant reprieves and pardons, to remit fines, and in cases of forfeiture, to stay the collection, until the end of the next session of the Legislature, and by and with the consent of the Senate to remit forfeitures. In cases of treason, he shall have power to grant reprieves, by and with the consent of the Senate, but may respite the sentence until the end of the next session of the Legislature; but no pardon shall be granted before conviction, and in cases of felony after conviction no pardon shall be granted until the applicant therefor shall have published for thirty days, in some newspaper in the county where the crime was committed, and in case there be no newspaper published in said county, then in an adjoining county, his petition for pardon, setting forth therein the reasons why such pardon should be granted.

MISSOURI.

8. V.

The Governor shall have power to grant reprieves, commutations

Sec. Art.

and pardons, after conviction, for all offenses, except treason and cases of impeachment, upon such condition and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. He shall, at each session of the General Assembly, communicate to that body each case of reprieve, commutation or pardon granted, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of the commutation, pardon or reprieve, and the reason for granting the same.

MONTANA.

9. VII.

The Governor shall have the power to grant pardons, absolute or conditional, and to remit fines and forfeitures, and to grant commutation of punishments and respites after conviction and judgment for any offenses committed against the criminal laws of this State: Provided, however, That before granting pardons, remitting fines and forfeitures, or commuting punishments, the action of the Governor concerning the same shall be approved by a board, or a majority thereof, composed of the Secretary of State, Attorney-General and State Auditor, who shall be known as the Board of Pardons. The Legislative Assembly shall by law prescribe the sessions of said board, and regulate the proceedings thereof. But no fine or forfeitures shall be remitted, and no commutation or pardon granted, except upon the approval of a majority of said board after a full hearing in open session, and until notice of the time

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and place of such hearing, and of the relief sought, shall have been given by publication in some newspaper of general circulation in the county where the crime was committed, at least once a week for two weeks. The proceedings and decisions of the board shall be reduced to writing, and with their reasons for their action in each case, and the dissent of any member who may disagree, signed by them and filed, with all papers used upon the hearing, in the office of the Secretary of State. The Governor shall communicate to the Legislative Assembly at each regular session, each case of remission of fine or forfeiture, reprieve, commutation or pardon granted since the last previous report, stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date of remission, commutation, pardon or reprieve, with the reasons for granting the same and the objections, if any, of any member of the board made thereto.

NEBRASKA.

13. V.

The Governor shall have power to grant reprieves, commutations and pardons after conviction, for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason he shall have power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next session, when the Legislature shall either pardon or commute the sentence,

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direct the execution of the sentence, or grant a further reprieve. He shall communicate to the Legislature at every regular session each case of reprieve, commutation or pardon granted, stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date of the reprieve, commutation or pardon.

NEVADA.

13. V.

The Governor shall have the power to suspend the collection of fines and forfeitures, and grant reprieves for a period not exceeding sixty days, dating from the time of conviction, for all offenses, except in cases of impeachment. Upon conviction for treason, he shall have power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next meeting, when the Legislature shall either pardon, direct the execution of the sentence, or grant a further reprieve. And if the Legislature should fail or refuse to make final disposition of such case, the sentence shall be enforced at such time and place as the Governor, by his order, may direct. The Governor shall communicate to the Legislature, at the beginning of every session, every case of fine, or forfeiture remitted, or reprieve, pardon, or commutation granted, stating the name of the convict, the crime for which he was convicted, the sentence, its date, and the date of the remission, commutation, pardon, or reprieve.

14. V.

The Governor, Justices of the Supreme Court, and Attorney-General, or a major part of them, of whom the Governor shall be

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one, may, upon such conditions, and with such limitations and restrictions as they may think proper, remit fines and forfeitures, commute punishments and grant pardons after convictions, in all cases, except treason and impeachments, subject to such regulations as may be provided by law relative to the manner of applying for pardons.

NEW HAMPSHIRE.

52. II.

The power of pardoning offenses, except such as persons may be convicted of before the Senate, by impeachment of the house, shall be in the Governor, by and with the advice of council; but no charter of pardon, granted by the Governor, with advice of council, before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offense or offenses intended to be pardoned.

NEW JERSEY.

9. V.

The Governor, or person administering the government, shall have power to suspend the collection of fines and forfeitures, and to grant reprieves, to extend until the expiration of a time not exceeding ninety day after conviction; but this power shall not extend to cases of impeachment.

10. V.

The Governor, or person administering the government, the chancellor, and the six judges of the Court of Errors and Appeals, or a major part of them, of whom the Governor or person administering the government, shall be one, may remit fines and forfeitures, and grant pardons, after conviction, in all cases except impeachment.

NORTH CAROLINA.

6. III.

The Governor shall have power to

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grant reprieves, commutations and pardons, after conviction for all offenses (except in cases of impeachment), upon such conditions as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. He shall biennially, communicate to the General Assembly each case of reprieve, commutation or pardon granted, stating the name of each convict, the crime for which he was convicted, the sentence and its date, the date of commutation, pardon or reprieve, and the reasons therefor.

NORTH DAKOTA.

76. III.

The Governor shall have power to remit fines and forfeitures, to grant reprieves, commutations and pardons after conviction, for all offenses except treason and cases of impeachment; but the Legislative Assembly may by law regulate the manner in which the remission of fines, pardons, commutations and reprieves may be applied for. Upon conviction for treason, he shall have power to suspend the execution of sentence until the case shall be reported to the Legislative Assembly at its next regular session, when the Legislative Assembly shall either pardon or commute the sentence, direct execution of the sentence, or grant further reprieve. He shall communicate to the Legislative Assembly at each regular session each case of remission of fine, reprieve, commutation or pardon granted by him, stating the name of the convict, the crime for which he is convicted, the sentence and its date, and the date of the remission, commutation, pardon or reprieve, with his reasons for granting the same.

OHIO.

11. III.

He shall have power, after conviction, to grant reprieves, commutations and pardons for all crimes and

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offenses, except treason and cases of impeachment, upon such conditions as he may think proper; subject, however, to such regulations, as to the manner of applying for pardons, as may be prescribed by law. Upon conviction for treason he may suspend the execution of the sentence and report the case to the General Assembly, at its next meeting, when the General Assembly shall either pardon, commute the sentence, direct its execution, or grant a further reprieve. He shall communicate to the General Assembly, at every regular session, each case of reprieve, commutation or pardon, granted, stating the name and crime of the convict, the sentence, its date, and the date of the commutation, pardon, or reprieve, with his reasons therefor.

OREGON.

14. V.

He shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses except treason, subject to such regulations as may be provided by law. Upon conviction for treason, he shall have the power to suspend the execution of the sentence until the case shall be reported to the Legislative Assembly, at its next meeting, when the Legislative Assembly shall either grant a pardon, commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall have power to remit fines and forfeitures, under such regulations as may be prescribed by law; and shall report to the Legislative Assembly, at its next meeting, each case of reprieve, commutation, or pardon granted, and the reason for granting the same; and also the names of all persons in whose favor remission of fines and forfeitures shall

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have been made, and the several amounts remitted.

PENNSYLVANIA.

9. IV.

He shall have the power to remit fines and forfeitures, to grant reprieves, commutations of sentence and pardons, except in cases of impeachment; but no pardon shall be granted, nor sentence commuted, except upon the recommendation in writing of the Lieutenant-Governor, Secretary of the Commonwealth, Attorney-General and Secretary of Internal Affairs, or any three of them, after full hearing, upon due public notice and in open session, and such recommendation, with the reasons therefor at length, shall be recorded and filed in the office of the Secretary of the Commonwealth.

RHODE ISLAND.

4. VII.

He shall have power to grant reprieves, after conviction, in all cases except those of impeachment, until the end of the next session of the General Assembly. The Governor, by and with the advice and consent of the Senate, shall hereafter exclusively exercise the pardoning power, except in cases of impeachment, to the same extent as such power is now exercised by the General Assembly.

SOUTH CAROLINA.

11. III.

He shall have power to grant reprieves and pardons after conviction (except in cases of impeachment), in such manner, on such terms and under such restrictions as he shall think proper; and he shall have power to remit fines and forfeitures, unless otherwise directed by law. It shall be his duty to report to the General Assembly,

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at the next regular session thereafter, all pardons granted by him, with a full statement of each case, and the reasons moving him thereunto.

SOUTH DAKOTA.**5. IV.**

The Governor shall have the power to remit fines and forfeitures, to grant reprieves, commutations and pardons after conviction, for all offenses except treason and cases of impeachment: Provided, That in all cases where the sentence of the court is capital punishment, imprisonment for life, or for a longer term than two years, or a fine exceeding two hundred dollars, no pardon shall be granted, sentence commuted or fine remitted, except upon the recommendation in writing of a board of pardons, consisting of the presiding judge, Secretary of State and Attorney-General, after a full hearing in open session, and such recommendation, with the reasons therefor, shall be filed in the office of the Secretary of State, but the Legislature may by law in all cases regulate the manner in which the remission of fines, pardons, commutations and reprieves, may be applied for. Upon conviction for treason he shall have the power to suspend the execution of the sentence until the case shall be reported to the Legislature at its next regular session, when the Legislature shall either pardon or commute the sentence, direct the execution of the sentence or grant a further reprieve. He shall communicate to the Legislature at each regular session each case of remission of fine, reprieve, commutation or pardon, granted by him in the cases in which he is authorized to act without removal from office, death,

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name of the convict, the crime of which he is convicted, the sentence and its date, and the date of the remission, commutation, pardon or reprieve, with his reasons for granting the same.

TENNESSEE.**6. III.**

He shall have power to grant reprieves and pardons after conviction, except in cases of impeachment.

TEXAS.**11. IV.**

In all criminal cases, except treason and impeachment, he shall have power after conviction, to grant reprieves, commutations of punishment, and pardons; and under such rules as the Legislature may prescribe, he shall have power to remit fines and forfeitures. With the advice and consent of the Senate, he may grant pardons in cases of treason, and to this end he may respite a sentence therefor, until the close of the succeeding session of the Legislature: Provided, That in all cases of remissions of fines and forfeitures, or grants of reprieve, commutation of punishment or pardon, he shall file in the office of the Secretary of State his reasons therefor.

WASHINGTON.**9. III.**

The pardoning power shall be vested in the Governor, under such regulations and restrictions as may be prescribed by law.

11. III.

The Governor shall have power to remit fines and forfeitures, under such regulations as may be prescribed by law, and shall report to the Legislature at its next meeting each case of reprieve,

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commutation or pardon granted, and the reasons for granting the same, and also the names of all persons in whose favor remissions of fines and forfeitures shall have been made, and the several amounts remitted and the reasons for the remission.

WEST VIRGINIA.**11. VII.**

The Governor shall have power to remit fines and penalties in such cases and under such regulations as may be prescribed by law; to commute capital punishment and, except where the prosecution has been carried on by the House of Delegates, to grant reprieves and pardons after conviction; but he shall communicate to the Legislature at each session the particulars of every case of fine or penalty remitted, of punishment commuted and of reprieve or pardon granted, with his reasons therefor.

WISCONSIN.**6. V.**

The Governor shall have power to grant reprieves, commutations, and pardons, after conviction, for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Upon conviction for treason, he shall have the power to suspend the execution of the sentence until the case shall be reported to the Legislature, at its next meeting, when the Legislature

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shall either pardon or commute the sentence, direct the execution of the sentence or grant a further reprieve. He shall annually communicate to the Legislature each case of reprieve, commutation or pardon granted, stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date of the commutation, pardon or reprieve, with his reasons for granting the same.

WYOMING.**5. IV.**

The Governor shall have power to remit fines and forfeitures, to grant reprieves, commutations and pardons after conviction, for all offenses except treason and cases of impeachment; but the Legislature may by law regulate the manner in which the remission of fines, pardons, commutations and reprieves may be applied for. Upon conviction for treason, he shall have power to suspend the execution of sentence until the case is reported in the Legislature at its next regular session, when the Legislature shall either pardon, or commute the sentence, direct the execution of the sentence or grant further reprieve. He shall communicate to the Legislature at each regular session each case of remission of fine, reprieve, commutation or pardon granted by him, stating the name of the convict, the crime for which he was convicted, the sentence and its date, and the date of the remission, commutation, pardon or reprieve, with his reasons for granting the same.

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POWERS OF GOVERNOR TO DEVOLVE ON LIEUTENANT-GOVERNOR.

1 Sec. 6. In case of the impeachment of the Governor,
 2 or his removal from office, death, inability to discharge the
 3 powers and duties of the said office, resignation, or absence
 4 from the State, the powers and duties of the office shall devolve
 5 upon the Lieutenant-Governor for the residue of the term, or
 6 until the disability shall cease. But when the Governor shall,
 7 with the consent of the Legislature, be out of the State, in time
 8 of war, at the head of a military force thereof, he shall continue
 9 Commander-in-Chief of all the military force of the State.

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ALABAMA.**15. V.**

In case of the impeachment of the Governor, his removal from office, death, refusal to qualify, resignation, absence from the State, or other disability, the President of the Senate shall exercise all the power and authority appertaining to the office of Governor until the time appointed for the election of Governor shall arrive, or until the Governor, who is absent or impeached, shall return or be acquitted, or other disability be removed; and if during such vacancy in the office of Governor the President of the Senate shall be impeached, removed from office, refuse to qualify, die, resign, be absent from the State, or be under any other disability, the Speaker of the House of Representatives shall, in like manner, administer the government. If the Governor shall be absent from the State over twenty days, the Secretary of

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State shall notify the President of the Senate, who shall enter upon the duties of Governor; and if the Governor and President of the Senate shall both be absent from the State over twenty days the Secretary of State shall notify the Speaker of the House of Representatives, and in such case he shall enter upon the discharge of the duties of Governor, until the return of the Governor or President of the Senate.

ARKANSAS.**12. VI.**

In case of the death, conviction on impeachment, failure to qualify, resignation, absence from the State or other disability of the Governor, the powers, duties and emoluments of the office for the remainder of the term, or until the disability be removed, or a Governor elected and qualified, shall devolve upon and ac-

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crue to the President of the Senate.

CALIFORNIA.**16. V.**

In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the powers and duties of said office, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant-Governor for the residue of the term, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State in time of war, at the head of any military force thereof, he shall continue Commander-in-Chief of all the military force of the State.

COLORADO.**13. IV.**

In case of the death, impeachment or conviction of felony or infamous misdemeanor, failure to qualify, resignation, absence from the State, or other disability of the Governor, the powers, duties and emoluments of the office, for the residue of the term, or until the disability be removed, shall devolve upon the Lieutenant-Governor.

15. IV.

In case of the failure to qualify in his office, death, resignation, absence from the State, impeachment, conviction of felony or infamous misdemeanor, or disqualification from any cause, of both the Governor and Lieutenant-Governor, the duties of the Governor shall devolve upon the President of the Senate pro tem., until such disqualification of either the Governor or Lieutenant-Governor be removed or the vacancy be filled; and if the President of the Senate, for any

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of the above named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House.

CONNECTICUT.**14. IV.**

In case of the death, resignation, refusal to serve, or removal from office of the Governor, or of his impeachment or absence from the State, the Lieutenant-Governor shall exercise the powers and authority appertaining to the office of Governor, until another be chosen at the next periodical election for Governor, and be duly qualified; or until the Governor, impeached or absent, shall be acquitted or return.

DELAWARE.**14. III.**

Upon any vacancy happening in the office of Governor by his death, removal, resignation, or inability, the Speaker of the Senate shall exercise the office until a Governor elected by the people shall be duly qualified. If there be no Speaker of the Senate, or upon a further vacancy happening in the office by his death, removal, resignation or inability, the Speaker of the House of Representatives shall exercise the office until a Governor elected by the people shall be duly qualified. If the person elected Governor shall die, or become disqualified before the commencement of his term of office, or shall refuse to take the same, the person holding the office shall continue to exercise it until a Governor shall be elected and duly qualified. If upon a vacancy happening in the office of Governor, there be no other person who

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shall exercise said office within the provisions of the Constitution, the Secretary of State shall exercise the same until the next meeting of the General Assembly, who shall immediately proceed to elect, by joint ballot of both houses, a person to exercise the office until a Governor elected by the people shall be duly qualified. If a vacancy occur in the office of Governor, or if the Governor-elect die, or become disqualified, before the commencement of his term, or refuse to take the office, an election for Governor shall be held at the next general election, unless the vacancy happen within six days next preceding the election, exclusive of the day of the happening of the vacancy and the day of the election; in that case, if an election for Governor would not have been held at said election, without the happening of such vacancy, no election for Governor shall be held at said election in consequence of such vacancy. If the trial of a contested election shall continue longer than until the third Tuesday of January next ensuing the election of a Governor, the Governor of the last year, or the Speaker of the Senate, or of the House of Representatives, who may then be in the exercise of the executive authority, shall continue therein until a determination of such contested election. The Governor shall not be removed from his office for inability but with the concurrence of two-thirds of all the members of each branch of the Legislature.

FLORIDA.**19. IV.**

In case of the impeachment of the Governor, his removal from

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office, death, resignation or inability to discharge his official duties, the powers and duties of Governor shall devolve upon the President of the Senate for the residue of the term, or until the disability shall cease; and in case of the impeachment, removal from office, death, resignation or inability of the President of the Senate, the powers and duties of the office shall devolve upon the Speaker of the House of Representatives. But should there be a general election for members of the Legislature during such vacancy, and election for Governor to fill the same shall be had at the same time.

GEORGIA.**1. V.**

In case of the death, resignation or disability of the Governor, the President of the Senate shall exercise the executive powers of the government until such disability be removed, or a successor is elected and qualified. And in the case of the death, resignation or disability of the President of the Senate, the Speaker of the House of Representatives shall exercise the executive powers of the government until the removal of the disability, or the election and qualification of a Governor.

IDAH0.**12. IV.**

In case of the failure to qualify, the impeachment or conviction of treason, felony or other infamous crime of the Governor, or his death, removal from office, resignation, absence from the State, or inability to discharge the powers and duties of his office, the powers, duties and emoluments of the office for the residue of the term, or until

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the disability shall cease, shall devolve upon the Lieutenant-Governor.

ILLINOIS.**17. V.**

In case of death, conviction or impeachment, failure to qualify, resignation, absence from the State, or other disability of the Governor, the powers, duties and emoluments of the office for the residue of the term, or until the disability shall be removed, shall devolve upon the Lieutenant-Governor.

INDIANA.**10. V.**

In case of the removal of the Governor from office, or of his death, resignation, or inability to discharge the duties of the office, the same shall devolve upon the Lieutenant-Governor; and the General Assembly shall, by law, provide for the case of removal from office, death, resignation, or inability, both of the Governor and Lieutenant-Governor, declaring what officer then shall act as Governor; and such officer shall act accordingly until the disability be removed or a Governor be elected.

IOWA.**17. IV.**

In case of the death, impeachment, resignation, removal from office or other disabilities of the Governor, the powers and duties of the office for the residue of the term, or until he shall be acquitted, or the disability removed, shall devolve on the Lieutenant-Governor.

KANSAS.**11. I.**

In case of the death, impeachment, resignation, removal or other disability of the Governor,

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the power and duties of the office for the residue of the term, or until the disability shall be removed, shall devolve upon the President of the Senate.

KENTUCKY.**84.**

Should the Governor be impeached and removed from office, die, refuse to qualify, resign, be absent from the State, or be, from any cause, unable to discharge the duties of his office, the Lieutenant-Governor shall exercise all the power and authority appertaining to the office of Governor until another be duly elected and qualified, or the Governor shall return or be able to discharge the duties of his office. On the trial of the Governor, the Lieutenant-Governor shall not act as President of the Senate or take part in the proceedings, but the Chief Justice of the Court of Appeals shall preside during the trial.

LOUISIANA.**62.**

In case of the impeachment of the Governor, his removal from office, death, refusal or inability to qualify, disability, resignation or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant-Governor for the residue of the term, or until the Governor, absent or impeached, shall return or be acquitted or the disability removed. In the event of the removal, impeachment, death, resignation, disability or refusal to qualify of both the Governor and Lieutenant-Governor, the President pro tempore of the Senate shall act as Governor until the disability be removed or for the residue of the term.

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MAINE.**14. V.**

Whenever the office of Governor shall become vacant by death, resignation, removal from office, or otherwise, the President of the Senate shall exercise the office of Governor until another Governor shall be duly qualified; and in case of death, resignation, removal from office, or disqualification of the President of the Senate, so exercising the office of Governor, the Speaker of the House of Representatives shall exercise the office until a President of the Senate shall have been chosen; and when the office of Governor, President of the Senate and Speaker of the House shall become vacant, in the recess of the Senate, the person acting as Secretary of State, for the time being, shall by proclamation convene the Senate, that a President may be chosen to exercise the office of Governor. And whenever either the President of the Senate or Speaker of the House shall so exercise said office, he shall receive only the compensation of Governor, but his duties as President or Speaker shall be suspended; and the Senate or House shall fill the vacancy until his duties as Governor shall cease.

MARYLAND.**6. II.**

In case of the death or resignation of the Governor, or of his removal from the State, or other disqualification, the General Assembly, if in session, or if not, at their next session, shall elect some other qualified person to be Governor for the residue of the term for which the said Governor had been elected.

7. II.

In case of any vacancy in the

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office of Governor during the recess of the Legislature, the President of the Senate shall discharge the duties of said office until a Governor is elected, as herein provided for; and in case of the death or resignation of the said President, or of his removal from the State, or of his refusal to serve, then the duties of said office shall, in like manner, and for the same interval, devolve upon the Speaker of the House of Delegates. And the Legislature may provide by law for the impeachment of the Governor; and in case of his conviction, or inability, may declare what person shall perform the executive duties; and for any vacancy in said office not herein provided for, provision may be made by law; and if such vacancy should occur without such provision being made, the Legislature shall be convened by the Secretary of State for the purpose of filling said vacancy.

MASSACHUSETTS.**3. II.**

Whenever the chair of the Governor shall be vacant, by reason of his death or absence from the Commonwealth, or otherwise, the Lieutenant-Governor, for the time being, shall, during such vacancy, perform all the duties incumbent upon the Governor, and shall have and exercise all the powers and authorities which, by this Constitution, the Governor is vested with, when personally present.

MICHIGAN.**12. V.**

In case of the impeachment of the Governor, his removal from office, death, inability, resignation, or absence from the State,

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the powers and duties of the office shall devolve upon the Lieutenant-Governor for the residue of the term or until the disability ceases. When the Governor shall be out of the State in time of war, at the head of a military force thereof, he shall continue commander-in-chief of all the military force of the State.

MINNESOTA.**6. V.**

The Lieutenant-Governor shall be ex-officio President of the Senate; and in case a vacancy shall occur, from any cause whatever, in the office of Governor, he shall be Governor during such vacancy. The compensation of Lieutenant-Governor shall be double the compensation of a State Senator. Before the close of each session of the Senate they shall elect a President pro tempore, who shall be Lieutenant-Governor in case a vacancy should occur in that office.

MISSISSIPPI.**131. V.**

When the office of the Governor shall become vacant by death or otherwise, the Lieutenant-Governor shall possess the powers and discharge the duties of said office. When the Governor shall be absent from the State, or unable from protracted illness to perform the duties of the office, the Lieutenant-Governor shall discharge the duties of said office until the Governor be able to resume his duties; but, if from disability or otherwise, the Lieutenant-Governor shall be incapable of performing said duties, or if he be absent from the State, the President of the Senate pro tempore shall act in his stead; but if there be no such

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President, or if he be disqualified by like disability, or be absent from the State, then the Speaker of the House of Representatives shall assume the office of Governor, and perform said duties; and in case of the inability of the foregoing officers to discharge the duties of Governor, the Secretary of State shall convene the Senate, to elect a President pro tempore. The officer discharging the duties of Governor shall receive the compensation as such. Should a doubt arise as to whether a vacancy has occurred in the office of Governor or as to whether any one of the disabilities mentioned in this section exists or shall have ended, then the Secretary of State shall submit the question in doubt to the Judges of the Supreme Court, who, or a majority of whom, shall investigate and determine said question; and shall furnish to said Secretary of State an opinion in writing determining the question submitted to them, which opinion when rendered as aforesaid shall be final and conclusive.

MISSOURI.**16. V.**

In case of death, conviction or impeachment, failure to qualify, resignation, absence from the State, or other disability of the Governor, the powers, duties and emoluments of the office for the residue of the term, or until the disability shall be removed, shall devolve upon the Lieutenant-Governor.

MONTANA.**14. VII.**

In case of the failure to qualify, the impeachment or conviction of felony or infamous crime of the Governor, or his death, re-

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removal from office, resignation, absence from the State or inability to discharge the powers and duties of his office, the powers, duties and emoluments of the office, for the residue of the term, or until the disability shall cease, shall devolve upon the Lieutenant-Governor.

16. VII.

In case of the failure to qualify in his office, death, resignation, absence from the State, impeachment, conviction of felony or infamous crime, or disqualification from any cause, of both the Governor and the Lieutenant-Governor, the duties of the Governor shall devolve upon the President pro tempore of the Senate until such disqualification of either the Governor or Lieutenant-Governor be removed, or the vacancy filled, and if the President pro tempore of the Senate, for any of the above named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House.

NEBRASKA.

16. V.

In case of the death, impeachment, and notice thereof to the accused, failure to qualify, resignation, absence from the State, or other disability of the Governor, the powers, duties and emoluments of the office for the residue of the term, or until the disability shall be removed, shall devolve upon the Lieutenant-Governor.

NEVADA.

18. V.

In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the duties of the said of-

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fice, resignation or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant-Governor for the residue of the term, or until the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State in time of war, and be at the head of any military force thereof, he shall continue Commander-in-Chief of the military forces of the State.

NEW HAMPSHIRE.

Art. 49. Whenever the chair of the Governor shall become vacant, by reason of his death, absence from the State, or otherwise, the President of the Senate shall, during such vacancy, have and exercise all the powers and authorities which, by this Constitution, the Governor is vested with when personally present; but when the President of the Senate shall exercise the office of Governor, he shall not hold his office in the Senate. (Whenever the chair both of the Governor and of the President of the Senate shall become vacant, by reason of their death, absence from the State, or otherwise the Speaker of the House shall, during such vacancies, have and exercise all the powers and authorities which by this Constitution, the Governor is vested with when personally present; but when the Speaker of the House shall exercise the office of Governor, he shall not hold his office in the House.)

NEW JERSEY.

12. V.

In cases of death, resignation or removal from office of the Governor, the powers, duties and emoluments of the office shall devolve upon the President of

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the Senate, and in case of his death, resignation or removal, then upon the Speaker of the House of Assembly, for the time being, until another Governor shall be elected and qualified; but in such case another Governor shall be chosen at the next election for members of the Legislature, unless such death, resignation or removal shall occur within thirty days immediately preceding such next election, in which case a Governor shall be chosen at the second succeeding election for members of the Legislature. When a vacancy happens, during the recess of the Legislature, in any office which is to be filled by the Governor and Senate, or by the Legislature in joint meeting, the Governor shall fill such vacancy and the commission shall expire at the end of the next session of the Legislature, unless a successor shall be sooner appointed; when a vacancy happens in the office of clerk or surrogate of any county, the Governor shall fill such vacancy, and the commission shall expire when a successor is elected and qualified.

13. V.

In case of the impeachment of the Governor, his absence from the State or inability to discharge the duties of his office, the powers, duties and emoluments of the office shall devolve upon the President of the Senate; and in case of his death, resignation or removal, then upon the Speaker of the House of Assembly for the time being, until the Governor, absent or impeached, shall return or be acquitted, or until the disqualification or inability shall cease, or until a new Governor be elected and qualified.

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14. V.

In case of a vacancy in the office of Governor from any other cause than those herein enumerated, or in case of the death of the Governor-elect before he is qualified into office, the powers, duties and emoluments of the office shall devolve upon the President of the Senate or Speaker of the House of Assembly, as above provided for, until a new Governor be elected and qualified.

4. X.

In case of death, resignation or disability of the present Governor, the person who may be vice-president of Council at the time of the adoption of this Constitution shall continue in office and administer the government until a Governor shall have been elected and sworn or affirmed into office under this Constitution.

NORTH CAROLINA.

12. III.

In case of the impeachment of the Governor, his failure to qualify, his absence from the State, his inability to discharge the duties of his office, or, in case the office of Governor shall in anywise become vacant, the powers, duties and emoluments of the office shall devolve upon the Lieutenant-Governor until the disability shall cease, or a new Governor shall be elected and qualified. In every case in which the Lieutenant-Governor shall be unable to preside over the Senate, the Senators shall elect one of their own number president of their body; and the powers, duties and emoluments of the office of Governor shall devolve upon him whenever the Lieutenant-Governor shall, for any reason, be prevented from discharging the

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duties of such office as above provided, and he shall continue as acting Governor until the disabilities are removed, or a new Governor or Lieutenant-Governor shall be elected and qualified. Whenever, during the recess of the General Assembly, it shall become necessary for the President of the Senate to administer the government, the Secretary of State shall convene the Senate, that they may elect such president.

OHIO.

15. III.

In case of the death, impeachment, resignation, removal, or other disability of the Governor, the powers and duties of the office, for the residue of the term, or until he shall be acquitted, or the disability removed, shall devolve upon the Lieutenant-Governor.

OREGON.

8. V.

In case of the removal of the Governor from office, or of his death, resignation, or inability to discharge the duties of the office, the same shall devolve upon the Secretary of State; and in case of the removal from office, death, resignation, or inability both of the Governor and the Secretary of State, the President of the Senate shall act as Governor until the disability be removed or a Governor be elected.

PENNSYLVANIA.

13. IV.

In case of the death, conviction on impeachment, failure to qualify, resignation, or other disability of the Governor, the powers, duties and emoluments of the office, for the remainder of the term, or until the disability be removed,

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shall devolve upon the Lieutenant-Governor.

RHODE ISLAND.

9. VII.

In case of vacancy in the office of Governor, or of his inability to serve, impeachment or absence from the State, the Lieutenant-Governor shall fill the office of Governor, and exercise the powers and authority appertaining thereto, until a Governor is qualified to act or until the office is filled at the next annual election.

SOUTH CAROLINA.

9. III.

In case of the removal of the Governor from his office, or his death, resignation, removal from the State, or inability to discharge the powers and duties of the said office, the same shall devolve on the Lieutenant-Governor, and the General Assembly, at its first session after the ratification of this Constitution, shall, by law, provide for the case of removal, death, resignation or inability; both of the Governor and Lieutenant-Governor, declaring what officer shall then act as Governor, and such officer shall act accordingly, until such disability shall have been removed, or a Governor shall have been elected.

SOUTH DAKOTA.

6. IV.

In case of death, impeachment, resignation, failure to qualify, absence from the State, removal from office or other disability of the Governor, the powers and duties of the office for the residue of the term, or until he shall be acquitted, or the disability removed, shall devolve upon the Lieutenant-Governor.

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TENNESSEE.**12. III.**

In case of the removal of the Governor from office, or of his death or resignation, the powers and duties of the office shall devolve upon the Speaker of the Senate; and in case of the death, removal from office, or resignation of the Speaker of the Senate, the powers and duties of the office shall devolve on the Speaker of the House of Representatives.

VIRGINIA.**10. IV.**

In case of the removal of the Governor from office, or of his death, failure to qualify, resignation, removal from the State, or inability to discharge the powers and duties of the office, the said office, with its compensation, shall devolve upon the Lieutenant-Governor; and the General Assembly shall provide by law for the discharge of the executive functions in other necessary cases.

WASHINGTON.**10. III.**

In case of the removal, resignation, death or disability of the Governor, the duties of the office shall devolve upon the Lieutenant-Governor, and in case of a vacancy in both the offices of Governor and Lieutenant-Gov-

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ernor, the duties of Governor shall devolve upon the Secretary of State, who shall act as Governor until the disability be removed or a Governor be elected.

WISCONSIN.**7. V.**

In case of the impeachment of the Governor, or his removal from office, death, inability from mental or physical disease, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant-Governor, for the residue of the term, or until the Governor, absent or impeached, shall have returned, or the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State in time of war, at the head of the military force thereof, he shall continue Commander-in-Chief of the military force of the State.

WYOMING.**6. IV.**

If the Governor be impeached, displaced, resign or die, or from mental or physical disease or otherwise become incapable of performing the duties of his office or be absent from the State, the Secretary of State shall act as Governor until the vacancy is filled or the disability removed.

Qualifications of Lieutenant-Governor.

QUALIFICATIONS OF LIEUTENANT-GOVERNOR.

1 Sec. 7. The Lieutenant-Governor shall possess the
2 same qualifications of eligibility for office as the Governor.
3 He shall be president of the Senate, but shall have only a
4 casting vote therein. If during a vacancy of the office of
5 Governor, the Lieutenant-Governor shall be impeached, dis-
6 placed, resign, die, or become incapable of performing the
7 duties of his office, or be absent from the State, the President
8 of the Senate shall act as Governor until the vacancy be filled
9 or the disability shall cease; and if the President of the Senate
10 for any of the above causes shall become incapable of perform-
11 ing the duties pertaining to the office of Governor, the
12 Speaker of the Assembly shall act as Governor until the
13 vacancy be filled or the disability shall cease.

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ARKANSAS.
13. VI.

If, during the vacancy of the office of Governor, the President of the Senate shall be impeached, removed from office, refuse to qualify, resign, die or be absent from the State, the Speaker of the House of Representatives shall, in like manner, administer the government.

CALIFORNIA.
15. V.

A Lieutenant-Governor shall be elected at the same time and places, and in the same manner, as the Governor, and his term of office and his qualifications of eligibility

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shall also be the same. He shall be President of the Senate, but shall have only a casting vote therein. If, during a vacancy of the office of Governor, the Lieutenant-Governor shall be impeached, displaced, resigned, die, or become incapable of performing the duties of his office, or be absent from the State, the President pro tempore of the Senate shall act as Governor until the vacancy be filled or the disability shall cease. The Lieutenant-Governor shall be disqualified from holding any other office, except as specifically provided in this Constitution, during the term for which he shall have been elected.

Qualifications of Lieutenant-Governor.

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COLORADO.**14. IV.**

The Lieutenant-Governor shall be president of the Senate, and shall vote only when the Senate is equally divided. In case of the absence, impeachment or disqualification from any cause of the Lieutenant-Governor, or when he shall hold the office of Governor, then the president pro tem. of the Senate shall perform the duties of the Lieutenant-Governor, until the vacancy is filled or the disability removed.

CONNECTICUT.**3. IV.**

At the annual meetings of the electors, immediately after the election of Governor, there shall also be chosen, in the same manner as is hereinbefore provided for the election of Governor, a Lieutenant-Governor (altered by amendment of 1875), who shall continue in office for the same time, and possess the same qualifications.

13. IV.

The Lieutenant-Governor shall, by virtue of his office, be President of the Senate, and have, when in committee of the whole, a right to debate; and, when the Senate is equally divided, to give the casting vote.

15. IV.

When the government shall be administered by the Lieutenant-Governor, or he shall be unable to attend as President of the Senate, the Senate shall elect one of their members as President pro tempore. And if, during the vacancy of the office of Governor, the Lieutenant-Governor shall die, resign, refuse to serve, or be removed from office, or if he shall be impeached or absent from the State, the President of the Senate pro

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tempore shall, in like manner, administer the government, until he be superseded by a Governor or Lieutenant-Governor.

16. IV.

If the Lieutenant-Governor shall be required to administer the government, and shall, while in such administration, die or resign during the recess of the General Assembly, it shall be the duty of the Secretary, for the time being, to convene the Senate for the purpose of choosing a President pro tempore.

IDAH0.**13. IV.**

The Lieutenant-Governor shall be President of the Senate, but shall vote only when the Senate is equally divided. In case of the absence or disqualification of the Lieutenant-Governor from any cause which applies to the Governor, or when he shall hold the office of Governor, then the President pro tempore of the Senate shall perform the duties of the Lieutenant-Governor until the vacancy is filled or the disability removed.

14. IV.

In case of the failure to qualify in his office, death, resignation, absence from the State, impeachment, conviction of treason, felony or other infamous crime, or disqualification from any cause, of both Governor and Lieutenant-Governor, the duties of the Governor shall devolve upon the President of the Senate pro tempore, until such disqualification of either the Governor or Lieutenant-Governor be removed, or the vacancy filled; and if the President of the Senate, for any of the above named causes, shall become incapable of performing the duties of Governor, the same shall

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devolve upon the Speaker of the House.

ILLINOIS.**18. V.**

The Lieutenant-Governor shall be President of the Senate, and shall vote only when the Senate is equally divided. The Senate shall choose a president pro tempore, to preside in the case of the absence or impeachment of the Lieutenant-Governor, or when he shall hold the office of Governor.

19. V.

If there be no Lieutenant-Governor, or if the Lieutenant-Governor shall, for any cause specified in section seventeen of this article, become incapable of performing the duties of the office, the President of the Senate shall act as Governor until the vacancy is filled or the disability removed; and if the President of the Senate, for any of the above named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House of Representatives.

INDIANA.**21. V.**

The Lieutenant-Governor shall, by virtue of his office, be President of the Senate; have a right, when in committee of the whole, to join in debate, and to vote on all subjects, and, whenever the Senate shall be equally divided, he shall give the casting vote.

23. V.

The Lieutenant-Governor, while he shall act as president of the Senate, shall receive for his services the same compensation as the Speaker of the House of Representatives; and any person acting as Governor shall receive the compensation attached to the office of Governor.

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IOWA.**18. IV.**

The Lieutenant-Governor shall be President of the Senate, but shall only vote when the Senate is equally divided; and in case of his absence or impeachment, or when he shall exercise the office of Governor, the Senate shall choose a President pro tempore.

19. IV.

If the Lieutenant-Governor, while acting as Governor, shall be impeached, displaced, resign or die, or otherwise become incapable of performing the duties of the office, the President pro tempore of the Senate shall act as Governor until the vacancy is filled, or the disability removed; and if the President of the Senate, for any of the above causes, shall be rendered incapable of performing the duties pertaining to the office of Governor, the same shall devolve upon the Speaker of the House of Representatives.

KANSAS.**12. I.**

The Lieutenant-Governor shall be president of the Senate, and shall vote only when the Senate is equally divided. The Senate shall choose a president pro tempore, to preside in case of his absence or impeachment, or when he shall hold the office of Governor.

13. I.

If the Lieutenant-Governor, while holding the office of Governor, shall be impeached or displaced, or shall resign or die, or otherwise become incapable of performing the duties of the office, the president of the Senate shall act as Governor until the vacancy is filled, or the disability removed; and if the president of the Senate, for any of the

Qualifications of Lieutenant-Governor.

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above causes, shall be rendered incapable of performing the duties pertaining to the office of Governor, the same shall devolve upon the Speaker of the House of Representatives.

KENTUCKY.

83.

He shall, by virtue of his office, be president of the Senate, have a right, when in the committee of the whole, to debate and vote on all subjects, and when the Senate is equally divided, to give the casting vote.

85.

A president pro tempore of the Senate shall be elected by each Senate as soon after its organization as possible, the Lieutenant-Governor vacating his seat as president of the Senate until such election shall be made; and as often as there is a vacancy in the office of president pro tempore, another president pro tempore of the Senate shall be elected by the Senate, if in session. And if, during the vacancy of the office of Governor, the Lieutenant-Governor shall be impeached and removed from office, refuse to qualify, resign, die or be absent from the State, the president pro tempore of the Senate shall in like manner administer the government: Provided, Whenever a vacancy shall occur in the office of Governor before the first two years of the term shall have expired, a new election for Governor shall take place to fill such vacancy.

86.

The Lieutenant-Governor, or president pro tempore of the Senate, while he acts as president of the Senate, shall receive for his services the same compensation which shall, for

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the same period, be allowed to the Speaker of the House of Representatives, and during the time he administers the government as Governor, he shall receive the same compensation which the Governor would have received had he been employed in the duties of his office.

87.

If the Lieutenant-Governor shall be called upon to administer the government, and shall, while in such administration, resign, die, or be absent from the State during the recess of the General Assembly, if there be no president pro tempore of the Senate, it shall be the duty of the Secretary of State, for the time being, to convene the Senate for the purpose of choosing a president; and until a president is chosen, the Secretary of State shall administer the government. If there be no Secretary of State to perform the duties devolved upon him by this section, or in case that officer be absent from the State, then the Attorney-General, for the time being, shall convene the Senate for the purpose of choosing a president, and shall administer the government until a president is chosen.

LOUISIANA.

61.

The Lieutenant-Governor shall, by virtue of his office, be president of the Senate, but shall only have a casting vote therein. The Senate shall elect one of its members as president pro tempore of the Senate.

65.

The Lieutenant-Governor shall receive for his services a salary which shall be double that of a member of the General Assembly, and no more.

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MASSACHUSETTS.**3. II.**

Whenever the office of Governor and Lieutenant-Governor shall be vacant, by reason of death, absence, or otherwise, then the Council, or the major part of them, shall, during such vacancy, have full power and authority to do, and execute, all and every such acts, matters and things, as the Governor or the Lieutenant-Governor might or could, by virtue of this Constitution, do or execute, if they, or either of them, were personally present.

MICHIGAN.**13. V.**

During a vacancy in the office of Governor, if the Lieutenant-Governor die, resign or be impeached, displaced, be incapable of performing the duties of the office, or absent from the State, the President pro tempore of the Senate shall act as Governor until the vacancy be filled, or the disability cease.

14. V.

The Lieutenant-Governor shall, by virtue of his office, be President of the Senate. In committee of the whole he may debate all questions; and when there is an equal division, he shall give the casting vote.

MISSISSIPPI.**129. V.**

The Lieutenant-Governor shall, by virtue of his office, be President of the Senate. In committee of the whole he may debate all questions, and when there is an equal division in the Senate, or on a joint vote of both houses, he shall give the casting vote.

130. V.

The Lieutenant-Governor shall receive for his services the same

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compensation as the Speaker of the House of Representatives.

MISSOURI.**15. V.**

The Lieutenant-Governor shall possess the same qualifications as the Governor, and by virtue of his office shall be President of the Senate. In committee of the whole he may debate all questions; and when there is an equal division he shall give the casting vote in the Senate, and also in joint vote of both houses.

17. V.

The Senate shall choose a President pro tempore to preside in cases of the absence or impeachment of the Governor, or when he shall hold the office of Governor. If there be no Lieutenant-Governor, or the Lieutenant-Governor shall, for any of the causes specified in section sixteen of this article, become incapable of performing the duties of the office, the President of the Senate shall act as Governor until the vacancy is filled or the disability removed; and if the President of the Senate, for any of the above-named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House of Representatives, in the same manner and with the same powers and compensation as are prescribed in the case of the office devolving upon the Lieutenant-Governor.

18. V.

The Lieutenant-Governor or the President pro tempore of the Senate, while presiding in the Senate, shall receive the same compensation as shall be allowed to the Speaker of the House of Representatives.

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MONTANA.**15. VII.**

The Lieutenant-Governor shall be president of the Senate, but shall vote only when the Senate is equally divided. In case of the absence or disqualification of the Lieutenant-Governor, from any cause which applies to the Governor, or when he shall hold the office of Governor, then the president pro tempore of the Senate shall perform the duties of the Lieutenant-Governor until the vacancy is filled or the disability removed.

NEBRASKA.**17. V.**

The Lieutenant-Governor shall be President of the Senate, and shall vote only when the Senate is equally divided.

18. V.

If there be no Lieutenant-Governor, or if the Lieutenant-Governor, for any of the causes specified in section sixteen of this article, become incapable of performing the duties of the office, the President of the Senate shall act as Governor until the vacancy is filled, or the disability is removed; and if the President of the Senate, for any of the above named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House of Representatives.

NEVADA.**17. V.**

A Lieutenant-Governor shall be elected at the same time and places, and in the same manner as the Governor, and his term of office and eligibility shall also be the same. He shall be President of the Senate, but shall only have a casting vote therein. If, during a vacancy of the office of Governor, the Lieutenant-

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Governor shall be impeached, displaced, resign, die or become incapable of performing the duties of the office, or be absent from the State, the President pro tempore of the Senate shall act as Governor, until the vacancy be filled or the disability cease.

NORTH CAROLINA.**19. III.**

The Lieutenant-Governor shall preside in the Senate, but shall have no vote unless it may be equally divided.

11. II.

The Lieutenant-Governor shall be President of the Senate, but shall have no vote unless the Senate be equally divided. He shall, whilst acting as president of the Senate, receive for his services the same pay which shall, for the same period, be allowed to the Speaker of the House of Representatives; and he shall receive no other compensation except when he is acting as Governor.

NORTH DAKOTA.**72. III.**

A Lieutenant-Governor shall be elected at the same time and for the same term as the Governor. In case of the death, impeachment, resignation, failure to qualify, absence from the State, removal from office, or the disability of the Governor, the powers and duties of the office for the residue of the term, or until he shall be acquitted, or the disability be removed, shall devolve upon the Lieutenant-Governor.

77. III.

The Lieutenant-Governor shall be President of the Senate, but shall have no vote, unless they be equally divided. If, during

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the vacancy in the office of Governor, the Lieutenant-Governor shall be impeached, displaced, resign or die, or from mental or physical disease, or otherwise, become incapable of performing the duties of his office, the Secretary of State shall act as Governor until the vacancy shall be filled or the disability removed.

OHIO.

16. III.

The Lieutenant-Governor shall be President of the Senate, but shall vote when the Senate is equally divided; and in case of his absence or impeachment, or when he shall exercise the office of Governor, the Senate shall choose a president pro tempore.

17. III.

If the Lieutenant-Governor, while executing the office of Governor, shall be impeached, displaced, resign or die, or otherwise become incapable of performing the duties of the office, the President of the Senate shall act as Governor until the vacancy is filled or the disability removed; and if the President of the Senate, for any of the above causes, shall be rendered incapable of performing the duties pertaining to the office of Governor, the same shall devolve upon the Speaker of the House of Representatives.

PENNSYLVANIA.

4. IV.

A Lieutenant-Governor shall be chosen at the same time, in the same manner, for the same term, and subject to the same provisions as the Governor; he shall be President of the Senate, but shall have no vote unless they be equally divided.

14. IV.

In case of a vacancy in the of-

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fice of Lieutenant-Governor, or when the Lieutenant-Governor shall be impeached by the House of Representatives, or shall be unable to exercise the duties of his office, the powers, duties and emolument thereof for the remainder of the term, or until the disability be removed, shall devolve upon the President pro tempore of the Senate; and the President pro tempore of the Senate shall in like manner become Governor if a vacancy or disability shall occur in the office of Governor; his seat as Senator shall become vacant whenever he shall become Governor, and shall be filled by election as any other vacancy in the Senate.

RHODE ISLAND.

2. VI.

The Governor, and in his absence the Lieutenant-Governor, shall preside in the Senate and in grand committee. The presiding officer of the Senate and grand committee shall have a right to vote in case of equal division, but not otherwise.

3. VI.

If, by reason of death, resignation, absence, or other cause, there be no Governor or Lieutenant-Governor present to preside in the Senate, the Senate shall elect one of their own members to preside during such absence or vacancy; and until such election is made by the Senate, the Secretary of State shall preside.

10. VII.

If the offices of Governor and Lieutenant-Governor be both vacant, by reason of death, resignation, impeachment, absence or otherwise, the person entitled to preside over the Senate for the time being shall in like manner fill the office of Gov-

Qualifications of Lieutenant-Governor.

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ernor during such absence or vacancy.

SOUTH CAROLINA.

5. III.

A Lieutenant-Governor shall be chosen at the same time, in the same manner, continue in office for the same period, and be possessed of the same qualifications as the Governor, and shall ex-officio be president of the Senate.

6. III.

The Lieutenant-Governor, while presiding in the Senate, shall have no vote, unless the Senate be equally divided.

TEXAS.

16. IV.

There shall also be a Lieutenant-Governor, who shall be chosen at every election for Governor, by the same electors, in the same manner, continue in office for the same time, and possess the same qualifications. The electors shall distinguish for whom they vote as Governor and for whom they vote as Lieutenant-Governor. The Lieutenant-Governor shall, by virtue of his office, be president of the Senate, and shall have, when in committee of the whole, a right to debate and vote on all questions; and when the Senate is equally divided, to give the casting vote. In case of the death, resignation, removal from office, inability or refusal of the Governor to serve, or of his impeachment or absence from the State, the Lieutenant-Governor shall exercise the powers and authority appertaining to the office of Governor until another be chosen at the periodical election, and be duly qualified; or until the Governor impeached, absent or disabled, shall be ac-

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quitted, return, or his disability be removed

17. IV.

If, during the vacancy in the office of Governor, the Lieutenant-Governor should die, resign, refuse to serve, or be removed from office, or be unable to serve, or if he shall be impeached or absent from the State, the President of the Senate, for the time being, shall, in like manner, administer the government until he shall be superseded by a Governor or Lieutenant-Governor. The Lieutenant-Governor shall, while he acts as President of the Senate, receive for his services the same compensation and mileage which shall be allowed to the members of the Senate, and no more; and during the time he administers the government as Governor, he shall receive in like manner the same compensation which the Governor would have received had he been employed in the duties of his office, and no more. The President, for the time being, of the Senate, shall, during the time he administers the government, receive in like manner the same compensation which the Governor would have received had he been employed in the duties of his office.

VIRGINIA.

11. IV.

The Lieutenant-Governor shall be President of the Senate, but shall have no vote except in case of an equal division; and while acting as such shall receive a compensation equal to that allowed to the Speaker of the House of Delegates.

WASHINGTON.

16. III.

The Lieutenant-Governor shall be presiding officer of the State

Qualifications of Lieutenant-Governor.

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Senate, and shall discharge such other duties as may be prescribed by law. He shall receive an annual salary of one thousand dollars, which may be increased by the Legislature, but shall never exceed three thousand dollars per annum.

WEST VIRGINIA.**16. VII.**

In case of the death, conviction on impeachment, failure to qualify, resignation or other disability of the Governor, the President of the Senate shall act as Governor until the vacancy is filled, or the disability removed; and if the President of the Senate, for any of the above named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House of Delegates; and in all other cases where there is no one

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to act as Governor, one shall be chosen by joint vote of the Legislature. Whenever a vacancy shall occur in the office of Governor before the first three years of the term shall have expired, a new election for Governor shall take place to fill the vacancy.

WISCONSIN.**8. V.**

The Lieutenant-Governor shall be President of the Senate, but shall have only a casting vote therein. If, during a vacancy in the office of Governor, the Lieutenant-Governor shall be impeached, displaced, resign, die, or from mental or physical disease become incapable of performing the duties of his office, or be absent from the State, the Secretary of State shall act as Governor until the vacancy shall be filled, or the disability shall cease.

COMPENSATION OF LIEUTENANT-GOVERNOR.

- 1 Sec. 8. The Lieutenant-Governor shall receive for his
2 services an annual salary of five thousand dollars, and shall
3 not receive or be entitled to any other compensation, fee or
4 perquisite, for any duty or service he may be required to per-
5 form by the Constitution or by law.

Sec. Art.**IOWA.****15. IV.**

The official term of the Governor and Lieutenant-Governor shall commence on the second Monday of January next after their election, and continue for two years, and until their successors are elected and qualified. The Lieutenant-Governor, while acting as Governor, shall receive the same pay as provided for Governor; and while presiding in the Senate, shall receive as compensation therefor the same mileage and double the per diem pay provided for a Senator, and none other.

LOUISIANA.

Art. 63. The Lieutenant-Governor

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or officer discharging the duties of Governor shall, during his administration, receive the same compensation to which the Governor would have been entitled had he continued in office.

MICHIGAN.**17. V.**

The Lieutenant (Governor) and President of the Senate pro tempore, when performing the duties of Governor, shall receive the same compensation as the Governor.

WISCONSIN.**9. V.**

The Lieutenant-Governor shall receive during his continuance in office an annual compensation of one thousand dollars.

Bills to be Presented to Governor for Signature.

BILLS TO BE PRESENTED TO GOVERNOR FOR SIGNATURE.

1 Sec. 9. Every bill which shall have passed the Senate
2 and Assembly shall, before it becomes a law, be presented to
3 the Governor; if he approve, he shall sign it; but if not, he
4 shall return it with his objections to the house in which it
5 shall have originated, which shall enter the objections at large
6 on the journal, and proceed to reconsider it. If after such
7 reconsideration, two-thirds of the members elected to that
8 house shall agree to pass the bill, it shall be sent together with
9 the objections to the other house by which it shall likewise be
10 reconsidered; and if approved by two-thirds of the members
11 elected to that house, it shall become a law notwithstanding
12 the objections of the Governor. In all such cases, the votes
13 in both houses shall be determined by yeas and nays, and the
14 names of the members voting shall be entered on the journal
15 of each house respectively. If any bill shall not be returned
16 by the Governor within ten days (Sundays excepted) after it
17 shall have been presented to him, the same shall be a law, in
18 like manner as if he had signed it, unless the Legislature shall
19 by their adjournment, prevent its return, in which case it shall
20 not become a law without the approval of the Governor. No
21 bill shall become a law after the final adjournment of the
22 Legislature, unless approved by the Governor within thirty

Bills to be Presented to Governor for Signature.

23 days after such adjournment. If any bill presented to the
24 Governor contain several items of appropriation of money,
25 he may object to one or more of such items while approving
26 of the other portion of the bill. In such case, he shall append
27 to the bill, at the time of signing it, a statement of the items
28 to which he objects; and the appropriation so objected to shall
29 not take effect. If the Legislature be in session, he shall
30 transmit to the house in which the bill originated a copy of
31 such statement, and the items objected to shall be separately
32 reconsidered. If on reconsideration one or more of such items
33 be approved by two-thirds of the members elected to each
34 house, the same shall be part of the law, notwithstanding the
35 objections of the Governor. All the provisions of this section,
36 in relation to bills not approved by the Governor, shall apply
37 in cases in which he shall withhold his approval from any
38 item or items contained in a bill appropriating money.

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ALABAMA.**13. V.**

Every bill which shall have passed both houses of the General Assembly shall be presented to the Governor; if he approve, he shall sign it, but if not, he shall return it with his objections, to that house in which it shall have originated, who shall enter the objections at large upon the journals, and the house to which such bill shall be returned shall proceed to reconsider it; if, after such reconsideration a majority

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of the whole number elected to that house shall vote for the passage of such bill, it shall be sent, with the objections, to the other house, by which it shall likewise be reconsidered; if approved by a majority of the whole number elected to that house, it shall become a law; but, in such cases, the votes of both houses shall be determined by yeas and nays, and the names of the members voting for or against the bill shall be entered

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upon the journals of each house respectively. If any bill shall not be returned by the Governor within five days, Sundays excepted, after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the General Assembly by their adjournment, prevent its return, in which case it shall not be a law. And every order, vote or resolution to which the concurrence of both houses may be necessary (except questions of adjournment and of bringing on elections for the two houses, and of amending this Constitution) shall be presented to the Governor, and before the same shall take effect be approved by him, or being disapproved, shall be repassed by both houses, according to the rules and limitations prescribed in the case of a bill.

14. V.

The Governor shall have power to disapprove of any item or items of any bill making appropriations of money, embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items of appropriation disapproved shall be void, unless repassed according to the rules and limitations prescribed for the passage of other bills over the executive veto; and he shall, in writing, state specifically the item or items he disapproves.

ARKANSAS.

15. VI.

Every bill which shall have passed both houses of the General Assembly shall be presented to the Governor; if he approve it, he shall sign it; but if he shall not approve it, he shall return it, with his objections, to the house

Sec. Art.

in which it originated, which house shall enter the objections at large upon their journal and proceed to reconsider it. If, after such reconsideration, a majority of the whole number elected to that house shall agree to pass the bill, it shall be sent with the objections to the other house, by which, likewise, it shall be reconsidered; and, if approved by a majority of the whole number elected to that house, it shall be a law; but in such cases the votes of both houses shall be determined by yeas and nays, and the names of the members voting for or against the bill shall be entered on the journals. If any bill shall not be returned by the Governor within five days, Sunday excepted, after it shall have been presented to him, the same shall be a law in like manner as if he had signed it; unless the General Assembly, by their adjournment, prevent its return, in which case it shall become a law, unless he shall file the same, with his objections, in the office of the Secretary of State and give notice thereof by public proclamation within twenty days after such adjournment.

16. VI.

Every order or resolution in which the concurrence of both Houses of the General Assembly may be necessary, except on questions of adjournment, shall be presented to the Governor, and, before it shall take effect, be approved by him; or, being disapproved, shall be repassed by both houses, according to the rules and limitations prescribed in the case of a bill.

17. VI.

The Governor shall have power to disapprove any item or items of any bill making appropriations of

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money, embracing distinct items; and the part or parts of the bill approved shall be the law, and the item or items of appropriations disapproved shall be void unless re-passed according to the rules and limitations prescribed for the passage of other bills over the executive veto.

CALIFORNIA.

16. IV.

Every bill which may have passed the Legislature shall, before it becomes a law, be presented to the Governor. If he approve it, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, which shall enter such objections upon the journal and proceed to reconsider it. If, after such reconsideration, it again passes both houses, by yeas and nays, two-thirds of the members elected to each house voting therefor, it shall become a law, notwithstanding the Governor's objections. If any bill shall not be returned within ten days after it shall have been presented to him (Sundays excepted), the same shall become a law in like manner as if he had signed it, unless the Legislature, by adjournment, prevent such return; in which case it shall not become a law, unless the Governor, within ten days after such adjournment (Sundays excepted), shall sign and deposit the same in the office of the Secretary of State, in which case it shall become a law in like manner as if it had been signed by him before adjournment. If any bill presented to the Governor contains several items of appropriation of money, he may object to one or more items, while approving other portions of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the items to which he objects, and the reasons therefor, and the appropriations so objected

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to shall not take effect, unless passed over the Governor's veto, as hereinbefore provided. If the Legislature be in session, the Governor shall transmit to the house in which the bill originated a copy of such statement, and the items so objected to shall be separately reconsidered, in the same manner as bills which have been disapproved by the Governor.

COLORADO.

11. IV.

Every bill passed by the General Assembly shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it, and thereupon it shall become a law; but if he do not approve, he shall return it, with his objections, to the house in which it originated, which house shall enter the objections at large upon its journal, and proceed to reconsider the bill. If then two-thirds of the members elected agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members elected to that house, it shall become a law, notwithstanding the objections of the Governor. In all such cases the vote of each house shall be determined by yeas and noes, to be entered upon the journal. If any bill shall not be returned by the Governor within ten days after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the General Assembly shall, by their adjournment, prevent its return, in which case it shall be filed, with his objections, in the office of the Secretary of State, within thirty days after such adjournment, or else become a law.

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12. IV.

The Governor shall have power to disapprove of any item or items of any bill making appropriations of money, embracing distinct items, and part or parts of the bill approved shall be law, and the item or items disapproved shall be void, unless enacted in the manner following: If the General Assembly be in session, he shall transmit to the house in which the bill originated a copy of the item or items thereof disapproved, together with his objections thereto, and the items objected to shall be separately reconsidered, and each item shall then take the same course as is prescribed for the passage of bills over the executive veto.

39. V.

Every order, resolution or vote to which the concurrence of both houses may be necessary, except on the question of adjournment, or relating solely to the transaction of business of the two houses, shall be presented to the Governor, and before it shall take effect, be approved by him, or being disapproved, shall be re-passed by two-thirds of both houses, according to the rules and limitations prescribed in case of a bill.

CONNECTICUT.

12. IV.

Every bill which shall have passed both houses of the General Assembly shall be presented to the Governor. If he approves, he shall sign and transmit it to the Secretary, but if not, he shall return it to the house in which it originated, with his objections, which shall be entered on the journals of the house, who shall proceed to

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reconsider the bill. If, after such reconsideration, that house shall again pass it it shall be sent, with objections, to the other house, which shall also reconsider it. If approved, it shall become a law. But in such cases the votes of both houses shall be determined by yeas and nays; and the names of the members voting for and against the bill shall be entered on the journals of each house respectively. If the bill shall not be returned by the Governor within three days, Sundays excepted, after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it; unless the General Assembly, by their adjournment, prevents its return; in which case it shall not be a law.

FLORIDA.

28. III.

Every bill that may have passed the Legislature shall, before becoming a law, be presented to the Governor; if he approves it he shall sign it, but if not he shall return it with his objections to the house in which it originated, which house shall cause such objections to be entered upon its journal, and proceed to reconsider it; if, after such consideration, it shall pass both houses by a two-thirds vote of members present, which vote shall be entered on the journal of each house, it shall become a law. If any bill shall not be returned within five days after it shall have been presented to the Governor (Sunday excepted), the same shall be a law, in like manner as if he had signed it. If the Legislature, by its final adjournment, prevent such action, such bill shall be a law, unless the Gov-

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ernor, within ten days after the adjournment, shall file such bill, with his objections thereto, in the office of the Secretary of State, who shall lay the same before the Legislature at its next session, and if the same shall receive two-thirds of the votes present, it shall become a law.

18. IV.

The Governor shall have power to disapprove of any item or items of any bills making appropriations of money embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items of appropriation disapproved shall be void, unless re-passed according to the rules and limitations prescribed for the passage of other bills over the executive veto.

GEORGIA.

1. V.

Par. XVI. The Governor shall have the revision of all bills passed by the General Assembly, before the same shall become laws, but two-thirds of each house may pass a law, notwithstanding his dissent; and if any bill shall not be returned by the Governor within five days (Sundays excepted) after it has been presented to him, the same shall be a law, unless the General Assembly, by their adjournment, shall prevent its return. He may approve any appropriation, and disapprove any other appropriation, in the same bill, and the latter shall not be effectual unless passed by two-thirds of each house.

V.

Par. XVII. Every vote, resolution or order to which the concurrence of both houses may

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be necessary, except on a question of election or adjournment, shall be presented to the Governor, and before it shall take effect be approved by him, or being disapproved, shall be re-passed by two-thirds of each house.

IDAHO.

10. IV.

Every bill passed by the Legislature shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it, and thereupon it shall become a law; but if he do not approve, he shall return it with his objections to the house in which it originated, which house shall enter the objections at large upon its journal and proceed to reconsider the bill. If then two-thirds of the members present agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of the members present in that house, it shall become a law, notwithstanding the objections of the Governor. In all such cases the vote of each house shall be determined by yeas and nays, to be entered on the journal. Any bill which shall not be returned by the Governor to the Legislature within five days (Sunday excepted) after it shall have been presented to him, shall become a law in like manner as if he had signed it, unless the Legislature shall, by adjournment, prevent its return, in which case it shall be filed, with his objections, in the office of the Secretary of State within ten days after such adjournment (Sundays excepted) or become a law.

11. IV.

The Governor shall have power to disapprove of any item or items of

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any bill making appropriations of money embracing distinct items, and the part or parts approved shall become a law and the item or items disapproved shall be void, unless enacted in the manner following: If the Legislature be in session, he shall within five days transmit to the house within which the bill originated a copy of the item or items thereof disapproved, together with his objections thereto, and the items objected to shall be separately reconsidered, and each item shall then take the same course as is prescribed for the passage of bills over the executive veto.

ILLINOIS.

16. V.

Every bill passed by the General Assembly shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it, and thereupon it shall become a law; but if he do not approve, he shall return it, with his objections, to the house in which it shall have originated, which house shall enter the objections at large upon its journal and proceed to reconsider the bill. If then two-thirds of the members elected agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of the members elected to that house, it shall become a law, notwithstanding the objections of the Governor; but in all such cases the vote of each house shall be determined by yeas and nays, to be entered upon the journal. Bills making appropriations of money out of the treasury shall specify the objects and purposes for which the same are made, and appropriate to them respectively their several amounts in distinct items and sections. And if the Governor shall not approve any one or more of the items or sections contained in any

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bill, but shall approve the residue thereof, it shall become a law, as to the residue, in like manner as if he had signed it. The Governor shall then return the bill, with his objections to the items or sections of the same not approved by him, to the house in which the bill shall have originated, which house shall enter the objections at large upon its journal, and proceed to reconsider so much of said bill as is not approved by the Governor. The same proceedings shall be had in both houses in reconsidering the same, as hereinbefore provided in case of an entire bill returned by the Governor with his objections; and if any item or section of said bill not approved by the Governor shall be passed by two-thirds of the members elected to each of the two houses of the General Assembly, it shall become part of said law, notwithstanding the objections of the Governor. Any bill which shall not be returned by the Governor within ten days (Sundays excepted) after it shall have been presented to him, shall become a law in like manner as if he had signed it, unless the General Assembly shall by their adjournment prevent its return, in which case it shall be filed with his objections in the office of the Secretary of State, within ten days after such adjournment, or become a law.

INDIANA.

14. V.

Every bill which shall have passed the General Assembly shall be presented to the Governor; if he approve, he shall sign it, but if not, he shall return it, with his objections, to the house in which it shall have originated, which house shall enter the objections at large upon its journals, and proceed

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to reconsider the bill. If, after such reconsideration, a majority of all the members elected to that house shall agree to pass the bill, it shall be sent, with the Governor's objections, to the other house, by which it shall likewise be reconsidered, and if approved by a majority of all the members elected to that house it shall be a law. If any bill shall not be returned by the Governor within three days, Sundays excepted, after it shall have been presented to him, it shall be a law without his signature, unless the general adjournment shall prevent its return, in which case it shall be a law, unless the Governor, within five days next after such adjournment, shall file such bill, with his objections thereto, in the office of the Secretary of State, who shall lay the same before the General Assembly at its next session in like manner as if it had been returned by the Governor. But no bill shall be presented to the Governor within two days next previous to the final adjournment of the General Assembly.

IOWA.

16. III.

Every bill which shall have passed the General Assembly, shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, which shall enter the same upon their journal, and proceed to reconsider it; if, after such reconsideration, it again pass both houses, by yeas and nays, by a majority of two-thirds of the members of each house, it shall become a law, notwithstanding the Governor's

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objections. If any bill shall not be returned within three days after it shall have been presented to him, Sunday excepted, the same shall be a law in like manner as if he had signed it, unless the General Assembly, by adjournment, prevent such return. Any bill submitted to the Governor for his approval during the last three days of a session of the General Assembly, shall be deposited by him in the office of the Secretary of State, within thirty days after the adjournment, with his approval, if approved by him, and with his objections, if he disapproves thereof.

KANSAS.

14. II.

Every bill and joint resolution passed by the House of Representatives and Senate, shall, within two days thereafter, be signed by the presiding officers, and presented to the Governor. If he approve, he shall sign it; but if not, he shall return it to the House of Representatives, which shall enter the objections at large upon its journal and proceed to reconsider the same. If, after such reconsideration, two-thirds of the members elected shall agree to pass the bill or resolution, it shall be sent, with the objections, to the Senate, by which it shall likewise be reconsidered, and if approved by two-thirds of all the members elected, it shall become a law. But in all such cases, the vote shall be taken by yeas and nays, and entered upon the journals of each house. If any bill shall not be returned within three days, (Sunday excepted,) after it shall have been presented to the Governor, it shall

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become a law in like manner as if he had signed it, unless the Legislature, by its adjournment, prevent its return, in which case it shall not become a law.

KENTUCKY..**56.**

No bill shall become a law until the same shall have been signed by the presiding officer of each of the two houses in open session; and before such officer shall have affixed his signature to any bill, he shall suspend all other business, declare that such bill will now be read, and that he will sign the same to the end that it may become a law. The bill shall then be read at length and compared; and, if correctly enrolled, he shall, in the presence of the house in open session, and before any other business is entertained, affix his signature, which fact shall be noted in the journal, and the bill immediately sent to the other house. When it reaches the other house, the presiding officer thereof shall immediately suspend all other business, announce the reception of the bill, and the same proceeding shall thereupon be observed in every respect as in the house in which it was first signed. And thereupon the clerk of the latter house shall immediately present the same to the Governor for his signature and approval.

88.

Every bill which shall have passed the two houses shall be presented to the Governor. If he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, which shall enter the objections in full upon its journal, and proceed to reconsider it. If, after such reconsideration, a majority of all the members elected to that

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house shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which it shall likewise be considered, and if approved by a majority of all the members elected to that house, it shall be a law; but in such case the votes of both houses shall be determined by yeas and nays, and the names of the members voting for and against the bill shall be entered upon the journal of each house respectively. If any bill shall not be returned by the Governor within ten days (Sundays excepted) after it shall have been presented to him, it shall be law in like manner as if he had signed it, unless the General Assembly, by their adjournment, prevent its return, in which case it shall be a law, unless disapproved by him within ten days after the adjournment, in which case his veto message shall be spread upon the register kept by the Secretary of State. The Governor shall have power to disapprove any part or parts of appropriation bills embracing distinct items, and the part or parts disapproved shall not become a law unless reconsidered and passed, as in case of a bill.

89.

Every order, resolution or veto, in which the concurrence of both houses may be necessary, except on a question of adjournment, or as otherwise provided in this Constitution, shall be presented to the Governor, and, before it shall take effect, be approved by him; or being disapproved, shall be repassed by a majority of the members elected to both houses, according to the rules and limitations prescribed in case of a bill.

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LOUISIANA.**39.**

Whenever a bill that has been passed by both houses is enrolled and placed in possession of the house in which it originated the title shall be read, and, at the request of any five members, the bill shall be read in full, when the Speaker of the House of Representatives or the President of the Senate, as the case may be, shall act at once, sign it in open house, and the fact of signing shall be noted on the journal; thereupon the clerk or secretary shall immediately convey the bill to the other house, whose presiding officer shall cause a suspension of all other business to read and sign the bill in open session and without delay; as soon as bills are signed by the speaker of the House and President of the Senate, they shall be taken at once and on the same day, to the Governor, by the clerk of the House or secretary of the Senate.

73.

Every bill which shall have passed both houses shall be presented to the Governor; if he approve, he shall sign it; if not, he shall return it, with his objections, to the house in which it originated, which house shall enter the objections at large upon the journal and proceed to reconsider it. If, after such reconsideration, two-thirds of all the members elected to that house shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which likewise it shall be reconsidered, and if passed by two-thirds of the members elected to that house, it shall be a law; but in such cases the votes of both houses shall be taken by yeas and nays, and the names of the

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members voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within five days after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the General Assembly, by adjournment, shall prevent its return, in which case it shall not be a law.

74.

The Governor shall have power to disapprove of any item or items of any bills making appropriations of money, embracing distinct items, and the part or parts of the bill approved shall be law, and the item or items of appropriation disapproved shall be void unless repassed according to the rules and limitations prescribed for the passage of other bills over the executive veto.

75.

Every order, resolution or vote to which the concurrence of both houses may be necessary, except on a question of adjournment, or on matters of parliamentary proceedings, or an address for removal from office, shall be presented to the Governor, and before it shall take effect be approved by him, or being disapproved shall be repassed by two-thirds of the members elected to each house.

MAINE.**2. IV.**

Every bill or resolution having the force of law, to which the concurrence of both houses may be necessary, except on a question of adjournment, which shall have passed both houses, shall be presented to the Governor,

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and if he approve, he shall sign it; if not, he shall return it with his objections to the house in which it shall have originated, which shall enter the objections at large on its journals, and proceed to reconsider it. If, after reconsideration, two-thirds of that house shall agree to pass it, it shall be sent, together with the objections, to the other house, by which it shall be reconsidered, and, if approved by two-thirds of that house, it shall have the same effect as if it had been signed by the Governor; but in all such cases, the votes of both houses shall be taken by yeas and nays, and the names of the persons voting for or against the bill, or resolution, shall be entered on the journals of both houses, respectively. If the bill, or resolution, shall not be returned by the Governor within five days (Sunday excepted) after it shall have been presented to him, it shall have the same force and effect as if he had signed it, unless the Legislature, by their adjournment, prevent its return, in which case it shall have such force and effect, unless returned within three days after their next meeting.

MARYLAND.**30. III.**

Every bill, when passed by the General Assembly, and sealed with the great seal, shall be presented to the Governor, who, if he approves it, shall sign the same, in the presence of the presiding officers and chief clerks of the Senate and House of Delegates. Every law shall be recorded in the office of the Court of Appeals, and in due time be printed, published and

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certified under the great seal, to the several courts, in the same manner as has been heretofore usual in this State.

17. II.

To guard against hasty or partial legislation and encroachments of the legislative department upon the co-ordinate executive and judicial departments, every bill which shall have passed the House of Delegates and the Senate shall, before it becomes a law, be presented to the Governor of the State; if he approve he shall sign it, but if not he shall return it with his objections to the house in which it originated, which house shall enter the objections at large on its journal and proceed to reconsider the bill; if, after such reconsideration, three-fifths of the members elected to that house shall pass the bill, it shall be sent with the objections to the other house, by which it shall likewise be reconsidered, and if it pass by three-fifths of the members elected to that house, it shall become a law; but in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house, respectively; if any bill shall not be returned by the Governor within six days (Sunday excepted) after it shall have been presented to him, the same shall be a law in like manner as if he signed it, unless the General Assembly shall, by adjournment, prevent its return, in which case it shall not be a law; the Governor shall have power to disapprove of any item or items of any bill making appropriations of money embracing distinct

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items, and the part or parts of the bill approved shall be the law, and the item or items of appropriations disapproved shall be void unless repassed according to the rules or limitations prescribed for the passage of other bills over the executive veto.

MASSACHUSETTS.

1.

II. No bill or resolve of the Senate or House of Representatives shall become a law, and have force as such, until it shall have been laid before the Governor for his revisal; and if he, upon such revision, approve thereof, he shall signify his approbation by signing the same. But if he have any objection to the passing of such bill or resolve, he shall return the same, together with his objections thereto, in writing, to the Senate or House of Representatives, in whichever the same shall have originated; who shall enter the objections sent down by the Governor, at large, on their records, and proceed to consider the said bill or resolve. But if after such reconsideration, two-thirds of the said Senate or House of Representatives, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the Legislature, where it shall be reconsidered, and if approved by two-thirds of the members present, shall have the force of a law; but in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for, or against, the said bill or resolve, shall be entered upon the public records of the Commonwealth.

And in order to prevent unnecessary delays, if any bill or resolve

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shall not be returned by the Governor within five days after it shall have been presented, the same shall have the force of a law.

MICHIGAN.

14. IV.

Every bill and concurrent resolution, except of adjournment, passed by the Legislature, shall be presented to the Governor before it becomes a law. If he approve, he shall sign it; but if not, he shall return it with his objections to the house in which it originated, which shall enter the objections at large upon their journal, and reconsider it. On such reconsideration if two-thirds of the members elected agree to pass the bill, it shall be sent with the objections to the other house, by which it shall be reconsidered. If approved by two-thirds of the members elected to that house, it shall become a law. In such case the vote of both houses shall be determined by yeas and nays; and the names of the members voting for and against the bill shall be entered on the journals of each house respectively. If any bill be not returned by the Governor within ten days, Sundays excepted, after it has been presented to him, the same shall become a law in like manner as if he had signed it, unless the Legislature by their adjournment prevent its return, in which case it shall not become a law. The Governor may approve, sign, and file in the office of the Secretary of State, within five days after the adjournment of the Legislature, any act passed during the last five days of the session; and the same shall become a law.

MINNESOTA.

11. IV.

Every bill which shall have passed

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the Senate and House of Representatives in conformity to the rules of each house and the joint rules of the two houses, shall, before it becomes a law, be presented to the Governor of the State. If he approves he shall sign and deposit it in the office of the Secretary of State for preservation, and notify the house where it originated of the fact. But if not, he shall return it, with his objections, to the house in which it shall have originated; when such objections shall be entered at large on the journal of the same, and the house shall proceed to reconsider the bill. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if it be approved by two-thirds of that house it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within three days (Sunday excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Legislature, by adjournment within that time, prevents its return; in which case it shall not be a law. The Governor may approve, sign and file in the office of the Secretary of State, within three days after the adjournment of the Legislature, any act passed during the last three days of the session, and the same shall

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become a law. If any bill presented to the Governor contain several items of appropriation of money, he may object to one or more of such items, while approving of the other portion of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the items to which he objects, and the appropriation so objected to shall not take effect. If the Legislature be in session, he shall transmit to the house in which the bill originated a copy of such statement, and the items objected to shall be separately reconsidered. If, on consideration, one or more of such items be approved by two-thirds of the members elected to each house, the same shall be a part of the law, notwithstanding the objections of the Governor. All the provisions of this section, in relation to bills not approved by the Governor, shall apply in cases in which he shall withhold his approval from any item or items contained in a bill appropriating money.

12. IV.

No money shall be appropriated except by bill. Every order, resolution or vote requiring the concurrence of the two houses (except such as relate to the business or adjournment of the same) shall be presented to the Governor for his signature, and before the same shall take effect shall be approved by him, or being returned by him with his objections, shall be re-passed by two-thirds of the members of the two houses, according to the rules and limitations prescribed in case of a bill.

MISSISSIPPI.

72. IV.

Every bill which shall pass both

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houses shall be presented to the Governor of the State. If he approve, he shall sign it, but if he does not approve, he shall return it, with his objections, to the house in which it originated, which shall enter the objections at large upon its journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which, likewise, it shall be reconsidered, and if approved by two-thirds of that house, it shall become a law; but in all such cases, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for, and against the bill, shall be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within five days (Sunday excepted), after it has been presented to him, it shall become a law, in like manner as if he had signed it, unless the Legislature, by adjournment, prevent its return; in which case it shall be a law, unless sent back within three days after the beginning of the next session of the Legislature. No bill shall be approved when the Legislature is not in session.

73. IV.

The Governor may veto parts of any appropriation bill, and approve parts of the same, and the portions approved shall be law.

MISSOURI.

37. IV.

No bill shall become a law until the same shall have been signed by the presiding officer of each of the two houses in open session; and before such officer

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shall affix his signature to any bill, he shall suspend all other business, declare that such bill will now be read, and that, if no objection be made, he will sign the same to the end that it may become a law. The bill shall then be read at length, and if no objection be made, he shall, in presence of the house, in open session, and before any other business is entertained, affix his signature, which fact shall be noted on the journal, and the bill immediately sent to the other house. When it reaches the other house, the presiding officer thereof shall immediately suspend all other business, announce the reception of the bill, and the same proceedings shall thereupon be observed, in every respect, as in the house in which it was first signed. If in either house any member shall object that any substitution, omission or insertion has occurred, so that the bill proposed to be signed is not the same in substance and form as when considered and passed by the house, or that any particular clause of this article of the Constitution has been violated in its passage, such objection shall be passed upon by the house, and if sustained, the presiding officer shall withhold his signature; but if such objection shall not be sustained, then any five members may embody the same, over their signatures, in a written protest, under oath, against the signing of the bill. Said protest, when offered in the house, shall be noted upon the journal, and the original shall be annexed to the bill, to be considered by the Governor in connection therewith.

38. IV.

When the bill has been signed, as provided for in the preceding

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section, it shall be the duty of the secretary of the Senate, if the bill originated in the Senate, and of the chief clerk of the House of Representatives, if the bill originated in the House, to present the same in person, on the same day on which it was signed, as aforesaid, to the Governor, and enter the fact upon the journal. Every bill presented to the Governor, and returned within ten days to the house in which the same originated, with the approval of the Governor, shall become a law, unless it be in violation of some provision of this Constitution.

39. IV.

Every bill presented as aforesaid, but returned without the approval of the Governor, and with his objections thereto, shall stand as reconsidered in the house to which it is returned. The house shall cause the objections of the Governor to be entered at large upon the journal, and proceed, at its convenience, to consider the question pending, which shall be in this form: "Shall the bill pass, the objections of the Governor thereto notwithstanding?" The vote upon this question, shall be taken by yeas and nays, and the names entered upon the journal, and if two-thirds of all the members elected to the house vote in the affirmative, the presiding officer of that house shall certify that fact on the roll, attesting the same by his signature, and send the bill, with the objections of the Governor to the other house, in which like proceedings shall be had in relation thereto; and if the bill receive a like majority of the votes of all the members elected to that house, the vote being taken by yeas and nays, the pre-

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siding officer thereof shall, in like manner, certify the fact upon the bill. The bill thus certified shall be deposited in the office of the Secretary of State, as an authentic act, and shall become a law in the same manner and with like effect as if it had received the approval of the Governor.

12. V.

The Governor shall consider all bills and joint resolutions which, having been passed by both houses of the General Assembly, shall be presented to him. He shall, within ten days after the same shall have been presented to him, return to the house in which they respectively originated all such bills and joint resolutions, with his approval indorsed thereon, or accompanied by his objections: Provided, That if the General Assembly shall finally adjourn within ten days after such presentation, the Governor may, within thirty days thereafter, return such bills and resolutions to the office of the Secretary of State, with his approval or reasons for disapproval.

13. V.

If any bill presented to the Governor contain several items of appropriation of money, he may object to one or more items while approving other portions of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the items to which he objects, and the appropriations so objected to shall not take effect. If the General Assembly be in session, he shall transmit to the house in which the bill originated a copy of such statement, and the items objected to shall be separately reconsidered. If it be not

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in session, then he shall transmit the same within thirty days to the office of Secretary of State, with his approval or reasons for disapproval.

14. V.

Every resolution to which the concurrence of the Senate and House of Representatives may be necessary, except on questions of adjournment, of going into joint session, and of amending this Constitution, shall be presented to the Governor, and before the same shall take effect shall be proceeded upon in the same manner as in the case of a bill: Provided, That no resolution shall have the effect to repeal, extend, alter or amend any law.

MONTANA.

40. V.

Every order, resolution or vote, in which the concurrence of both houses may be necessary, except on the question of adjournment, or relating solely to the transaction of the business of the two houses, shall be presented to the Governor, and before it shall take effect be approved by him, or, being disapproved, be repassed by two-thirds of both houses, as prescribed in the case of a bill.

12. VII.

Every bill passed by the Legislative Assembly shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it, and thereupon it shall become a law, but if he do not approve, he shall return it with his objections to the house in which it originated, which house shall enter the objections at large upon its journal and proceed to reconsider the bill. If then two-thirds of the members present agree to pass the

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same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present in that house it shall become a law notwithstanding the objections of the Governor. In all such cases the vote of each house shall be determined by yeas and nays, to be entered on the journal. If any bill shall not be returned by the Governor within five days (Sunday excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Legislative Assembly shall by their adjournment prevent its return, in which case it shall not become a law, without the approval of the Governor. No bill shall become a law after the final adjournment of the Legislative Assembly, unless approved by the Governor within fifteen days after such adjournment. In case the Governor shall fail to approve of any bill after the final adjournment of the Legislative Assembly it shall be filed, with his objections, in the office of the Secretary of State.

13. VII.

The Governor shall have power to disapprove of any item or items of any bill making appropriations of money, embracing distinct items, and the part or parts approved shall become a law, and the item or items disapproved shall be void unless enacted in the manner following: If the Legislative Assembly be in session he shall within five days transmit to the house in which the bill originated a copy of the item or items thereof disapproved, together with his objections thereto, and the items

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objected to shall be separately reconsidered, and each item shall then take the same course as is prescribed for the passage of bills over the executive veto.

NEBRASKA.**15. V.**

Every bill passed by the Legislature, before it becomes a law, and every order, resolution or vote to which the concurrence of both houses may be necessary (except on questions of adjournment) shall be presented to the Governor. If he approve, he shall sign it, and thereupon it shall become a law; but if he do not approve, he shall return it, with his objections, to the house in which it shall have originated which house shall enter the objections at large upon its journal and proceed to reconsider the bill. If then three-fifths of the members elected agree to pass the same, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by three-fifths of the members elected to that house it shall become a law, notwithstanding the objections of the Governor. In all such cases the vote of each house shall be determined by yeas and nays, to be entered upon the journal. Any bill which shall not be returned by the Governor within five days (Sunday excepted), after it shall have been presented to him, shall become a law, in like manner as if he had signed it, unless the Legislature, by their adjournment, prevent its return; in which case it shall be filed, with his objections, in the office of the Secretary of State, within five days after such adjournment, or become a law. The

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Governor may disapprove any item or items of appropriation contained in bills passed by the Legislature, and the item or items so disapproved shall be stricken therefrom, unless re-passed in the manner herein prescribed in cases of disapproval of bills.

NEVADA.**35. IV.**

Every bill which may have passed the Legislature shall, before it become a law, be presented to the Governor. If he approve it, he shall sign it; but, if not, he shall return it, with his objections, to the house in which it originated, which house shall cause such objections to be entered upon its journal, and proceed to reconsider it. If, after such reconsideration, it again pass both houses by yeas and nays, by a vote of two-thirds of the members elected to each house, it shall become a law, notwithstanding the Governor's objections. If any bill shall not be returned within five days after it shall have been presented to him (Sunday excepted), exclusive of the day on which he received it, the same shall be a law in like manner as if he had signed it, unless the Legislature, by its final adjournment, prevent such return, in which case it shall be a law, unless the Governor, within ten days next after the adjournment (Sundays excepted) shall file such bill, with his objections thereto, in the office of the Secretary of State, who shall lay the same before the Legislature at its next session, in like manner as if it had been returned by the Governor; and if the same shall receive the vote of two-thirds of the members elected to each branch of the Legislature, upon a vote taken

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by yeas and nays, to be entered upon the journals of each house. It shall become a law.

NEW HAMPSHIRE.**44.**

Every bill which shall have passed both houses of the General Court shall, before it becomes a law, be presented to the Governor; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with such objections, to the other house, by which it shall likewise be reconsidered; and, if approved by two-thirds of that house, it shall become a law. But, in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for or against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within five days (Sunday excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Legislature, by their adjournment, prevent its return, in which case it shall not be a law.

45.

Every resolve shall be presented to the Governor, and, before the same shall take effect, shall be approved by him, or being disapproved by him, shall be re-passed by the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

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NEW JERSEY.**7. V.**

Every bill which shall have passed both houses shall be presented to the Governor; if he approve he shall sign it, but if not, he shall return it, with his objections, to the house in which it shall have originated who shall enter the objections at large on their journal, and proceed to reconsider it; if, after such reconsideration, a majority of the whole number of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved of by a majority of the whole number of that house, it shall become a law; but in neither house shall the vote be taken on the same day on which the bill shall be returned to it; and in all such cases, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within five days (Sunday excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Legislature by their adjournment prevent its return, in which case it shall not be a law. If any bill presented to the Governor contain several items of appropriations of money, he may object to one or more of such items while approving of the other portions of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the items to which he objects, and the appropriation so objected to shall not

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take effect. If the Legislature be in session, he shall transmit to the house in which the bill originated a copy of such statement, and the items objected to shall be separately reconsidered. If, on reconsideration, one or more of such items be approved by a majority of the members elected to each house, the same shall be a part of the law, notwithstanding the objections of the Governor. All the provisions of this section in relation to bills not approved by the Governor shall apply to cases in which he shall withhold his approval from any item or items contained in a bill appropriating money.

NORTH DAKOTA.

79. III.

Every bill which shall have passed the Legislative Assembly shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign, but if not, he shall return it, with his objections, to the house in which it originated, which shall enter the objections at large upon the journal and proceed to reconsider it. If, after such reconsideration, two-thirds of the members elect shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if it be approved by two-thirds of the members elect, it shall become a law; but in all such cases the vote of both houses shall be determined by the yeas and nays, and the names of the members voting for and against the bill shall be entered upon the journal of each house respectively. If any bill shall not be returned by the Governor within three days

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(Sunday excepted) after it shall have been presented to him, the same shall be a law, unless the the Legislative Assembly, by its adjournment, prevent its return, in which case it shall be a law, unless he shall file the same, with his objections, in the office of the Secretary of State, within fifteen days after such adjournment.

80. III.

The Governor shall have power to disapprove of any item or items, or part or parts of any bill making appropriations of money or property embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items, and part or parts disapproved shall be void, unless enacted in the following manner: If the Legislative Assembly be in session, he shall transmit to the house in which the bill originated, a copy of the item or items, or part or parts thereof disapproved, together with his objections thereto, and the item or parts objected to shall be separately reconsidered, and each item or part shall then take the same course as is prescribed for the passage of bills over the executive veto.

OREGON.

15. V.

Every bill which shall have passed the Legislative Assembly, shall, before it becomes a law, be presented to the Governor; if he approve, he shall sign it; but if not, he shall return it with his objections to that house in which it shall have originated, which house shall enter the objections at large upon the journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of the members pres-

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ent shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law. But in all such cases, the votes of both houses shall be determined by yeas and nays, and the names of the members voting for or against the bill shall be entered on the journal of each house respectively; if any bill shall not be returned by the Governor within five days (Sunday excepted), after it shall have been presented to him, it shall be a law without his signature, unless the general adjournment shall prevent its return, in which case it shall be a law, unless the Governor, within five days next after the adjournment (Sunday excepted) shall file such bill, with his objections thereto, in the office of the Secretary of State, who shall lay the same before the Legislative Assembly at its next session, in like manner as if it had been returned by the Governor.

PENNSYLVANIA.

26. III.

Every order, resolution or vote, to which the concurrence of both houses may be necessary, except on the question of adjournment, shall be presented to the Governor, and before it shall take effect, be approved by him, or being disapproved, shall be repassed by two-thirds of both houses, according to the rules and limitations prescribed in case of a bill.

15. IV.

Every bill which shall have passed both houses shall be presented to the Governor; if he approve he shall sign it, but if he shall

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not approve he shall return it with his objections to the house in which it shall have originated, which house shall enter the objections at large upon their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of all the members elected to that house shall agree to pass the bill, it shall be sent with the objections to the other house, by which likewise it shall be reconsidered, and if approved by two-thirds of all the members elected to that house it shall be a law; but in such cases the votes of both houses shall be determined by yeas and nays, and the names of the members voting for and against the bill shall be entered on the journals of each house respectively. If any bill shall not be returned by the Governor within ten days after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the General Assembly, by their adjournment, prevent its return, in which case it shall be a law, unless he shall file the same, with his objections, in the office of the Secretary of the Commonwealth, and give notice thereof by public proclamation within thirty days after such adjournment.

SOUTH CAROLINA.

22. III.

Every bill or joint resolution which shall have passed the General Assembly, except on a question of adjournment, shall, before it becomes a law, be presented to the Governor, and, if he approve, he shall sign it; if not, he shall return it, with his objections to the house in which it shall have originated; which shall enter the objections at

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large on its journals and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass it, it shall be sent, together with the objections, to the other house, by which it shall be reconsidered, and, if approved by two-thirds of that house, it shall have the same effect as if it had been signed by the Governor; but in all such cases the vote of both houses shall be taken by yeas and nays, and the names of the persons voting for and against the bill or joint resolution shall be entered on the journals of both houses respectively. If a bill or joint resolution shall not be returned by the Governor within three days after it shall have been presented to him, Sundays excepted, it shall have the same force and effect as if he had signed it, unless the General Assembly, by their adjournment, prevent its return, in which case it shall not have such force and effect unless returned within two days after their next meeting.

SOUTH DAKOTA.**9. IV.**

Every bill which shall have passed the Legislature, shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it; but if not, he shall return it, with his objection, to the house in which it originated, which shall enter the objection at large upon the journal and proceed to reconsider it. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent, together with the objection, to the other house, by which it shall likewise be reconsidered, and if it be approved by two-

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thirds of the members present, it shall become a law; but in all such cases the vote of both houses shall be determined by the yeas and nays, and the names of the members voting for and against the bill shall be entered upon the journal of each house respectively. If any bill shall (not) be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law, unless the Legislature shall, by its adjournment, prevent its return, in which case it shall be filed, with his objection, in the office of the Secretary of State, within ten days after such adjournment, or become a law.

10. IV.

The Governor shall have power to disapprove of any item or items of any bill making appropriations of money embracing distinct items, and the part or parts of the bill approved shall be law, and the item or items disapproved shall be void, unless enacted in the following manner: If the Legislature be in session he shall transmit to the house in which the bill originated, a copy of the item or items thereof disapproved, together with his objections thereto, and the items objected to shall be separately reconsidered, and each item shall then take the same course as is prescribed for the passage of bills over the executive veto.

TENNESSEE.**18. III.**

Every bill which may pass both houses of the General Assembly shall, before it becomes a law, be presented to the Governor for his signature. If he approve, he shall sign it, and the same shall become a law;

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but if he refuse to sign it, he shall return it, with his objections thereto, in writing, to the house in which it originated; and said house shall cause said objections to be entered at large upon its journal, and proceed to reconsider the bill. If, after such reconsideration, a majority of all the members elected to that house shall agree to pass the bill, notwithstanding the objections of the executive, it shall be sent, with said objections, to the other house, by which it shall likewise be reconsidered. If approved by a majority of the whole number elected to that house, it shall become a law. The votes of both houses shall be determined by yeas and nays, and the names of all the members voting for or against the bill shall be entered upon the journals of their respective houses. If the Governor shall fail to return any bill, with his objections, within five days (Sundays excepted) after it shall have been presented to him, the same shall become a law without his signature, unless the General Assembly, by its adjournment, prevents its return, in which case it shall not become a law. Every joint resolution or order (except on questions of adjournment) shall likewise be presented to the Governor for his signature, and before it shall take effect shall receive his signature; and on being disapproved by him, shall, in like manner, be returned with his objections; and the same, before it shall take effect, shall be repassed by a majority of all the members elected to both houses, in the manner and according to the rules prescribed in case of a bill.

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TEXAS.

14. IV.

Every bill which shall have passed both houses of the Legislature shall be presented to the Governor for his approval. If he approve, he shall sign it; but if he disapprove it, he shall return it, with his objections, to the house in which it originated, which house shall enter the objections at large upon its journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of the members present agree to pass the bill, it shall be sent, with the objections, to the other house, by which likewise it shall be reconsidered; and if approved by two-thirds of the members of that house, it shall become a law; but in such cases the votes of both houses shall be determined by yeas and nays, and the names of the members voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the Governor with his objections within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Legislature, by its adjournment, prevent its return; in which case it shall be a law unless he shall file the same, with his objections, in the office of the Secretary of State, and give notice thereof by public proclamation within twenty days after such adjournment. If any bill presented to the Governor contains several items of appropriation, he may object to one or more of such items, and approve the other portion of the bill. In such case he shall append to the bill, at

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the time of signing it, a statement of the items to which he objects, and no item so objected to shall take effect. If the Legislature be in session, he shall transmit to the house in which the bill originated a copy of such statement, and the items objected to shall be separately considered. If, on reconsideration, one or more of such items be approved by two-thirds of the members present of each house, the same shall be part of the law notwithstanding the objections of the Governor. If any such bill, containing several items of appropriation, not having been presented to the Governor ten days (Sunday excepted) prior to adjournment, be in the hands of the Governor at the time of adjournment, he shall have twenty days from such adjournment within which to file objections to any item thereof, and make proclamation of the same, and such item or items shall not take effect.

15. IV.

Every order, resolution or vote to which the concurrence of both houses of the Legislature may be necessary, except on questions of adjournment, shall be presented to the Governor, and, before it shall take effect, shall be approved by him; or, being disapproved, shall be re-passed by both houses; and all the rules, provisions and limitations shall apply thereto as prescribed in the last preceding section in case of a bill.

VERMONT.

11.

Every bill which shall have passed the Senate and House of Representatives shall, before it becomes a law, be presented to the Governor; if he approve, he

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shall sign it; if not, he shall return it with his objections in writing to the house in which it shall have originated, which shall proceed to reconsider it. If, upon such reconsideration, a majority of the house shall pass the bill, it shall, together with the objections, be sent to the other house, by which it shall likewise be reconsidered, and, if approved by a majority of that house, it shall become a law. But, in all such cases, the votes of both houses shall be taken by yeas and nays, and the names of the persons voting for or against the bill shall be entered on the journal of each house, respectively. If any bill shall not be returned by the Governor, as aforesaid, within five days (Sunday excepted) after it shall have been presented to him, the same shall become a law in like manner as if he had signed it, unless the two houses, by their adjournment within three days after the presentation of such bill, shall prevent its return; in which case it shall not become a law.

VIRGINIA.

8. IV.

Every bill which shall have passed the Senate and House of Delegates, and every resolution requiring the assent of both branches of the General Assembly, shall, before it becomes a law, be presented to the Governor; if he approves, he shall sign it; but if not, he shall return it, with his objections, to the house in which it shall have originated, who shall enter the objections at large on their journal and proceed to reconsider it. If, after such consideration, two-thirds of the members pres-

Bills to be Presented to Governor for Signature.

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ent shall agree to pass the bill or joint resolution, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of all the members present, it shall become a law, notwithstanding the objections of the Governor. But in all such cases the votes of both houses shall be determined by yeas and noes, and the names of the members voting for and against the bill or joint resolution shall be entered on the journal of each house, respectively. If any bill or resolution shall not be returned by the Governor within five days (Sunday excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Legislature shall, by their adjournment, prevent its return, in which case it shall not be a law.

WASHINGTON.

12. III.

Every act which shall have passed the Legislature shall be, before it becomes a law, presented to the Governor. If he approves, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, which house shall enter the objection at large upon the journal, and proceed to reconsider. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent, together with the objection, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law; but in all such cases the vote of both houses shall be determined by

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the yeas and nays, and the names of the members voting for or against the bill shall be entered upon the journal of each house, respectively. If any bill shall not be returned by the Governor within five days, Sunday excepted, after it shall be presented to him, it shall become a law without his signature, unless the general adjournment shall prevent its return, in which case it shall become a law unless the Governor, within ten days next after the adjournment, Sundays excepted, shall file such bill with his objections thereto in the office of Secretary of State, who shall lay the same before the Legislature at its next session in like manner as if it had been returned by the Governor. If any bill presented to the Governor contain several sections or items, he may object to one or more sections or items while approving other portions of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the section or sections, item or items, to which he objects, and the reasons therefor, and the section or sections, item or items so objected to shall not take effect unless passed over the Governor's objections, as hereinbefore provided.

WEST VIRGINIA.

14. VII.

Every bill passed by the Legislature shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it, and thereupon it shall become a law; but if not, he shall return it, with his objections, to the house in which it originated, which house shall enter the objections at large upon

Bills to be Presented to Governor for Signature.**Sec. Art.**

its journal, and proceed to reconsider it. If, after such reconsideration, a majority of the members elected to that house agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by a majority of the members elected to that house, it shall become a law, notwithstanding the objections of the Governor. But in all such cases the vote of each house shall be determined by yeas and nays, to be entered on the journal. Any bill which shall not be returned by the Governor within five days (Sunday excepted) after it shall have been presented to him, shall be a law, in like manner as if he had signed it, unless the Legislature shall, by their adjournment prevent its return, in which case it shall be filed, with his objections, in the office of the Secretary of State, within five days after such adjournment, or become a law.

15. VII.

Every bill passed by the Legislature making appropriations of money embracing distinct items, shall, before it becomes a law, be presented to the Governor; if he disapprove the bill, or any item or appropriation therein contained, he shall communicate such disapproval with his reasons therefor to the house in which the bill originated; but all items not disapproved shall have the force and effect of law according to the original provisions of the bill. Any item or items so disapproved shall be void, unless re-passed by a majority of each house according to the rules and limitations prescribed in

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the preceding section in reference to other bills.

WISCONSIN.**10. V.**

Every bill which shall have passed the Legislature shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large upon the journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law. But in all such cases the vote of both houses shall be determined by yeas and nays, and the names of the members voting for or against the bill shall be entered on the journal of each house, respectively. If any bill shall not be returned by the Governor within three days (Sunday excepted) after it shall have been presented to him, the same shall be a law, unless the Legislature shall, by their adjournment, prevent its return; in which case it shall not be a law.

WYOMING.**41. III.**

Every order, resolution or vote, in which the concurrence of both houses may be necessary, except on the question of adjournment, or relating solely to the transaction of the business of the two houses, shall be presented to the Governor, and before it shall take effect be ap-

Bills to be Presented to Governor for Signature.

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proved by him, or, being disapproved, be repassed by two-thirds of both houses as prescribed in the case of a bill.

8. IV.

Every bill which has passed the Legislature shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign; but if not, he shall return it, with his objections, to the house in which it originated, which shall enter the objections at large upon the journal and proceed to reconsider it. If, after such reconsideration, two-thirds of the members elected agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it will likewise be reconsidered, and if it be approved by two-thirds of the members elected, it shall become a law; but in all such cases, the votes of both houses shall be determined by yeas and nays, and the names of the members voting for and against the bill shall be entered upon the journal of each house respectively. If any bill is not returned by the Governor within three days (Sunday excepted) after its presentation to him,

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the same shall be a law, unless the Legislature by its adjournment, prevent its return, in which case it shall be a law, unless he shall file the same with his objections in the office of the Secretary of State within fifteen days after such adjournment.

9. IV.

The Governor shall have power to disapprove of any item or items or part or parts of any bill making appropriations of money or property embracing distinct items, and the part or parts of the bill approved shall be the law, and the item or items and part or parts disapproved shall be void unless enacted in the following manner: If the Legislature be in session he shall transmit to the house in which the bill originated a copy of the item or items or part or parts thereof disapproved, together with his objections thereto, and the items or parts objected to shall be separately reconsidered, and each item or part shall then take the same course as is prescribed for the passage of bills over the executive veto.

General Provisions.

GENERAL PROVISIONS.

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DELAWARE.

4.

The term of office of the present Governor shall not be vacated nor extended by any amendment made to the Constitution in this Convention, but the said office shall continue during the original term thereof; but the ninth and fourteenth sections of the third article of this Constitution shall be immediately in force as amended. An election for Governor shall be held on the second Tuesday of November, in the year of our Lord one thousand eight hundred and thirty-two.

GEORGIA.

1. V.

Par. III. The first election for Governor, under this Constitution, shall be held on the first Wednesday in October, 1880, and the Governor-elect shall be installed in the office at the next session of the General Assembly. An election shall take place biennially thereafter on said day, until another date be fixed by the General Assembly. Said election shall be held at the places of holding general elections in the several counties of this State, in the manner prescribed for the election of members of the General Assembly, and the electors shall be the same.

INDIANA.

9.

The first election for Governor, Lieutenant-Governor, Judges of the Supreme Court and Circuit Courts, clerk of the Supreme Court, Prosecuting Attorney, Secretary, Auditor, and Treasurer of State, and State Super-

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intendent of Public Instruction, under this Constitution, shall be held at the general election in the year one thousand eight hundred and fifty-two; and such of said officers as may be in office when this Constitution shall go into effect, shall continue in their respective offices until their successors shall have been elected and qualified.

OHIO.

3.

The first election for Governor, Lieutenant-Governor, Auditor, Treasurer and Secretary of State and Attorney-General shall be held on the second Tuesday of October, one thousand eight hundred and fifty-one. The persons holding said offices on the first day of September, one thousand eight hundred and fifty-one, shall continue therein, until the second Monday of January, one thousand eight hundred and fifty-two.

PENNSYLVANIA.

5.

The first election of Governor under this Constitution shall be at the general election in the year one thousand eight hundred and seventy-five, when a Governor shall be elected for three years; and the term of the Governor elected in the year one thousand eight hundred and seventy-eight and of those thereafter elected shall be for four years, according to the provisions of this Constitution.

SOUTH DAKOTA.

19. XXVI.

The tenure of all officers, whose

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election is provided for in this schedule on the first day of October, A. D. 1889, shall be as follows:

The Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Attorney-General, Superintendent of Public Instruction, Commissioner of School and Public Lands, judges of County Courts, shall hold their respective offices until the first Tuesday after the first Monday in January, A. D., 1891, at twelve o'clock M., and until their successors are elected and qualified.

The judges of the Supreme Court

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and Circuit Courts shall hold their offices until the first Tuesday after the first Monday in January, A. D., 1894, at twelve o'clock M., and until their successors are elected and qualified; subject to the provisions of section 26 of article V of the Constitution.

The terms of office of the members of the Legislature elected at the first election held under the provisions of this Constitution shall expire on the first Tuesday after the first Monday in January, one thousand eight hundred and ninety-one (1891).

State Officers.

STATE OFFICERS.**ARTICLE V.**

1 Section 1. The Secretary of State, Comptroller, Treasurer,
2 Attorney-General and State Engineer and Surveyor shall be
3 chosen at a general election, at the times and places of electing
4 the Governor and Lieutenant-Governor, and shall hold their
5 offices for two years, except as provided in section two of this
6 article. Each of the officers in this article named, excepting
7 the Speaker of the Assembly, shall at stated times during his
8 continuance in office, receive for his services a compensation
9 which shall not be increased or diminished during the term
10 for which he shall have been elected; nor shall he receive to
11 his use any fees or perquisites of office or other compensation.
12 No person shall be elected to the office of State Engineer and
13 Surveyor who is not a practical civil engineer.

1 Sec. 2. The first election of the Secretary of State,
2 Comptroller, Treasurer, Attorney-General and State Engineer
3 and Surveyor, pursuant to this article shall be held in the year
4 one thousand eight hundred and ninety-five, and their terms
5 of office shall begin on the first day of January following,
6 and shall be for three years. At the general election in the
7 year one thousand eight hundred and ninety-eight, and every
8 two years thereafter, their successors shall be chosen for the
9 term of two years.

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ALABAMA.**7. V.**

The Governor, Secretary of State, State Treasurer, State Auditor, and Attorney-General shall reside at the seat of government of this State during the time they continue in office, except in cases of epidemics; and they shall receive compensation for their services, which shall be fixed by law, and which shall not be increased or diminished during the term for which they shall have been elected.

19. V.

No person shall be eligible to the office of Secretary of State, State Treasurer, State Auditor, or Attorney-General unless he shall have been a citizen of the United States at least seven years, and shall have resided in this State at least five years next preceding his election, and shall be at least twenty-five years old when elected.

5. XXIV.

The State Treasurer, State Auditor, and Attorney-General shall perform such duties as may be prescribed by law. The State Treasurer and State Auditor shall, every year, at a time the General Assembly may fix, make a full and complete report to the Governor, showing all receipts and disbursements of revenue, of every character, all claims audited and paid by the State, by items, and all taxes and revenue collected and paid into the treasury and from what sources; and they shall make reports oftener in any matter pertaining to their office, if required by the Governor, or the General Assembly.

27. VI.

An Attorney-General shall be elected by the qualified electors of the State at the same time and places of election of mem-

Sec. Art.

bers of the General Assembly, whose term of office shall be for two years, and until his successor is elected and qualified. After his election he shall reside at the seat of government, and shall be the law officer of the State, and shall perform such duties as may be required of him by law.

ARKANSAS.**14. VI.**

Whenever the office of Governor shall have become vacant by death, resignation, removal from office or otherwise, provided such vacancy shall not happen within twelve months next before the expiration of the term of office for which the late Governor shall have been elected, the President of the Senate or Speaker of the House of Representatives, as the case may be, exercising the powers of Governor for the time being, shall immediately cause an election to be held to fill such vacancy, giving by proclamation sixty days' previous notice thereof, which election shall be governed by the same rules prescribed for general elections of Governor as far as applicable; the returns shall be made to the Secretary of State, and the acting Governor, Secretary of State and Attorney-General shall constitute a board of canvassers, a majority of whom shall compare said returns and declare who is elected; and, if there be a contested election, it shall be decided as may be provided by law.

21. VI.

The Secretary of State shall keep a full and accurate record of all the official acts and proceedings of the Governor, and, when required, lay the same, with all papers, minutes and vouchers relating thereto, before either

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branch of the General Assembly. He shall also discharge the duties of Superintendent of Public Instruction, until otherwise provided by law.

22. VI.

The Treasurer of State, Secretary of State, Auditor of State and Attorney-General shall perform such duties as may be prescribed by law; they shall not hold any other office of commission, civil or military, in this State or under any State or the United States, or any other power, at one and the same time; and in case of vacancy occurring in any of said offices, by death, resignation or otherwise, the Governor shall fill said office by appointment for the unexpired term.

24. VII.

The qualified electors of each circuit shall elect a prosecuting attorney, who shall hold his office for the term of two years, and he shall be a citizen of the United States, learned in the law, and a resident of the circuit for which he may be elected.

11. XIX.

The Governor, Secretary of State, Auditor, Treasurer, Attorney-General, judges of the Supreme Court, judges of the Circuit Court, Commissioners of State Lands and prosecuting attorneys shall each receive a salary, to be established by law, which shall not be increased or diminished during their respective terms, nor shall any of them, except the prosecuting attorneys, after the adoption of this Constitution, receive to his own use any fees, costs, perquisites of office or other compensation; and all fees that may hereafter be payable by law for any service performed by any officer mentioned in this section, ex-

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cept prosecuting attorneys, shall be paid in advance into the State treasury. Provided, That the salaries of the respective officers herein mentioned shall never exceed per annum:

For Governor, the sum of \$4,000.00; for Secretary of State, the sum of \$2,500.00; for Treasurer, the sum of \$3,000.00; for Auditor, the sum of \$3,000.00; for Attorney-General, the sum of \$2,500.00; for Commissioners of State Lands, the sum of \$2,500.00; for judges of the Supreme Court, each, the sum of \$4,000.00; for judges of the Circuit Courts and chancellors, each, the sum of \$3,000.00; for prosecuting attorneys, the sum of \$400.00.

And provided further, That the General Assembly shall provide for no increase of salaries of its members which shall take effect before the meeting of the next General Assembly.

CALIFORNIA.

17. V.

A Secretary of State, a Controller, a Treasurer, an Attorney-General and a Surveyor-General shall be elected at the same time and places, and in the same manner, as the Governor and Lieutenant-Governor, and their terms of office shall be the same as that of the Governor.

18. V.

The Secretary of State shall keep a correct record of the official acts of the legislative and executive departments of the government, and shall, when required, lay the same, and all matters relative thereto, before either branch of the Legislature, and shall perform such other duties as may be assigned him by law.

COLORADO.

3. IV.

The officers named in section one

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of this article, shall be chosen on the day of the general election, by the qualified electors of the State. The returns of every election for said officers shall be sealed up and transmitted to the Secretary of State, directed to the Speaker of the House of Representatives, who shall immediately, upon the organization of the house, and before proceeding to other business, open and publish the same in the presence of a majority of the members of both houses of the General Assembly, who shall for that purpose assemble in the House of Representatives. The person having the highest number of votes for either of said offices shall be declared elected, but if two or more have an equal and the highest number of votes for the same office, one of them shall be chosen thereto by the two houses, on joint ballot. Contested elections for the said offices shall be determined by the two houses, on joint ballot, in such manner as may be prescribed by law.

21. 4.

Neither the State Treasurer nor State Auditor shall be eligible for re-election as his own immediate successor.

12. V.

The Treasurer shall keep a separate account of each fund in his hands; and shall, at the end of each quarter of the fiscal year, report to the Governor in writing, under oath, the amount of all moneys in his hands to the credit of every such fund, and the place where the same are kept or deposited, and the number and amount of every warrant received and the number and amount of every warrant paid therefrom during the quarter. Swearing falsely to

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any such report shall be deemed perjury. The Governor shall cause every such report to be immediately published in at least one newspaper printed at the seat of government, and otherwise as the General Assembly may require. The General Assembly may provide by law further regulations for the safe-keeping and management of the public funds in the hands of the Treasurer, but, notwithstanding any such regulation, the Treasurer and his sureties shall in all cases be held responsible therefor.

CONNECTICUT.

19. IV.

A Comptroller of the Public Accounts shall be annually appointed by the General Assembly (altered by amendment of 1838). He shall adjust and settle all public accounts and demands, except grants and orders of the General Assembly. He shall prescribe the mode of keeping and rendering all public accounts. He shall ex-officio be one of the auditors of the accounts of the Treasurer. The General Assembly may assign to him other duties in relation to his office, and to that of the Treasurer, and shall prescribe the manner in which his duties shall be performed.

DELAWARE.

16. II.

The State Treasurer shall be appointed biennially by the House of Representatives, with the concurrence of the Senate. In case of a vacancy in the office of State Treasurer in the recess of the General Assembly, either through omission of the General Assembly to appoint, or by the death, removal out of the State,

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resignation, or inability of the State Treasurer, or his failure to give security, the Governor shall fill the vacancy by appointment, to continue until the next meeting of the General Assembly. The State Treasurer shall settle his accounts annually with the General Assembly, or a committee thereof, which shall be appointed at every biennial session. No person who hath served in the office of State Treasurer shall be eligible to a seat in either house of the General Assembly until he shall have made a final settlement of his accounts as Treasurer and discharged the balance, if any, due thereon.

15.

A secretary shall be appointed and commissioned during the Governor's continuance in office, if he shall so long behave himself well. He shall keep a fair register of all the official acts and proceedings of the Governor, and shall, when required by either branch of the Legislature, lay the same, and all papers, minutes and vouchers, relative thereto, before them, and shall perform such other duties as shall be enjoined him by law. He shall have a compensation for his services to be fixed by law.

21. IV.

The Secretary of State shall keep the records of the official acts of the Legislature and executive departments of the government, and shall, when required, lay the same, and all matters relative thereto, before either branch of the Legislature; and shall be the custodian of the great seal of the State. He shall also have charge of the Capitol building and grounds, and perform such

Sec. Art.

other duties as shall be prescribed by law.

22. IV.

The Attorney-General shall be the legal adviser of the Governor, and each of the officers of the executive department, and shall perform such other legal duties as may be prescribed by law. He shall be reporter for the Supreme Court.

23. IV.

The Comptroller shall examine, audit, adjust and settle the accounts of all officers of the State, and perform such other duties as may be prescribed by law.

24. IV.

The Treasurer shall receive and keep all funds, bonds, and other securities, in such manner as may be prescribed by law, and shall disburse no funds, nor issue bonds, or other securities, except upon the order of the Comptroller, countersigned by the Governor, in such manner as shall be prescribed by law.

GEORGIA.

6. I.

Par. I. Returns of elections for all civil officers elected by the people, who are to be commissioned by the Governor, and also for the members of the General Assembly, shall be made to the Secretary of State, unless otherwise provided by law.

7. III.

Par. V. The original journal shall be preserved, after publication, in the office of Secretary of State, but there shall be no other record thereof.

12. III.

Par. II. When such showing is made to the Comptroller-General of the State of Georgia by a proper

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certificate from the State official having charge of the funds so deposited, the Comptroller-General of the State of Georgia is authorized to issue to the company making such showing a license to do business in the State, upon paying the fees required by law.

2. V.

Par. II. The salary of the Treasurer shall not exceed two thousand dollars per annum. The clerical expenses of his department shall not exceed sixteen hundred dollars per annum.

2. V.

Par. III. The salary of the Secretary of State shall not exceed two thousand dollars per annum, and the clerical expenses of his department shall not exceed one thousand dollars per annum.

2. V.

Par. IV. The salary of the Comptroller-General shall not exceed two thousand dollars per annum. The clerical expenses of his department, including the Insurance Department and Wild Land Clerk, shall not exceed four thousand dollars per annum; and without said clerk, it shall not exceed three thousand dollars per annum.

2. V.

Par. VI. No person shall be eligible to the office of Secretary of State, Comptroller-General, or Treasurer, unless he shall have been a citizen of the United States for ten years, and shall have resided in this State for six years next preceding his election, and shall be twenty-five years of age when elected. All of said officers shall give bond and security, under regulations

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to be prescribed by law, for the faithful discharge of their duties.

2. V.

The Secretary of State, Comptroller-General and Treasurer shall be elected by the persons qualified to vote for members of the General Assembly, at the same time and in the same manner as the Governor. The provision of the Constitution as to the transmission of the returns of election, counting the votes, declaring the result, deciding when there is no election, and when there is a contested election, applicable to the election of Governor, shall apply to the election of Secretary of State, Comptroller-General and Treasurer; they shall be commissioned by the Governor and hold their office for the same time as the Governor.

10. VI.

There shall be an Attorney-General of this State, who shall be elected by the people at the same time, for the same term and in the same manner as the Governor.

10. VI.

Par. II. It shall be the duty of the Attorney-General to act as the legal advisor of the Executive Department, to represent the State in the Supreme Court in all capital felonies; and in all civil and criminal cases in any court when required by the Governor, and to perform such other services as shall be required of him by law.

11. VI.

Par. II. It shall be the duty of the Solicitor-General to represent the State in all cases in the Superior Courts of his circuit, and in all cases taken up from his circuit

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to the Supreme Court, and to perform such other services as shall be required of him by law.

15. VII.

Par. I. The Comptroller-General and Treasurer shall each make to the Governor a quarterly report of the financial condition of the State, which report shall include a statement of the assets, liabilities and income of the State, and expenditures therefor, for the three months preceding; and it shall be the duty of the Governor to carefully examine the same by himself, or through competent persons connected with his department, and cause an abstract thereof to be published for the information of the people, which abstract shall be indorsed by him as having been examined.

ILLINOIS.

2. V.

The treasurer shall hold his office for the term of two years, and until his successor is elected and qualified; and shall be ineligible to said office for two years next after the end of the term for which he was elected. He may be required by the Governor to give reasonable additional security, and in default of so doing his office shall be deemed vacant.

IOWA.

22. IV.

A Secretary of State, Auditor of State and Treasurer of State shall be elected by the qualified electors, who shall continue in office two years, and until their successors are elected and qualified; and perform such duties as may be required by law.

12.

The General Assembly shall provide, by law, for the election of an Attorney-General by the

Sec. Art.

people, whose term of office shall be two years, and until his successor shall have been elected and qualified.

KENTUCKY.

91.

A Treasurer, Auditor of Public Accounts, Register of the Land Office, Commissioner of Agriculture, Labor and Statistics, Secretary of State, Attorney-General and Superintendent of Public Instruction shall be elected by the qualified voters of the State at the same time the Governor is elected, for the term of four years, each of whom shall be at least thirty years of age at the time of his election, and shall have been a resident citizen of the State at least two years next before his election. The duties of all these officers shall be such as may be prescribed by law, and the Secretary of State shall keep a fair register of and attest all the official acts of the Governor, and shall, when required, lay the same, and all papers, minutes and vouchers relative thereto before either house of the General Assembly. The officers named in this section shall enter upon the discharge of their duties the first Monday in January after their election, and shall hold their offices until their successors are elected and qualified.

92.

The Attorney-General shall have been a practicing lawyer eight years before his election.

93.

The Treasurer, Auditor of Public Accounts, Secretary of State, Commissioner of Agriculture, Labor and Statistics, Attorney-General, Superintendent of Pub-

State Officers.

Sec. Art.

lic Instruction and Register of the Land Office shall be ineligible to re-election for the succeeding four years after the expiration of the term for which they shall have been elected. The duties and responsibilities of these officers shall be prescribed by law, and all fees collected by any of said officers shall be covered into the treasury. Inferior State officers, not specifically provided for in this Constitution, may be appointed or elected, in such manner as may be prescribed by law, for a term not exceeding four years, and until their successors are appointed or elected and qualified.

97.

At the general election in eighteen hundred and ninety-two there shall be elected in each Circuit Court district a Commonwealth's Attorney, and in each county a clerk of the Circuit Court, who shall enter upon the discharge of the duties of their respective offices on the first Monday in January after their election, and shall hold their offices five years, and until their successors are elected and qualified. In the year eighteen hundred and ninety-seven, and every six years thereafter, there shall be an election in each county for a Circuit Court clerk, and for a Commonwealth's Attorney in each Circuit Court district, unless that office be abolished, who shall hold their respective offices for six years from the first Monday in January after their election, and until the election and qualification of their successors.

98.

The compensation of the Commonwealth's Attorney shall be

Sec. Art.

by salary and such percentage of fines and forfeitures as may be fixed by law, and such salary shall be uniform in so far as the same shall be paid out of the State treasury, and not to exceed the sum of five hundred dollars per annum; but any county may make additional compensation, to be paid by said county. Should any percentage of fines and forfeitures be allowed by law, it shall not be paid except upon such proportion of the fines and forfeitures as have been collected and paid into the State treasury, and not until so collected and paid.

LOUISIANA.

76.

The Treasurer, Auditor, Attorney-General and Secretary of State shall be elected by the qualified electors of the State for the term of four years; and in case of vacancy caused by death, resignation or permanent absence of either of said officers the Governor shall fill such vacancy by appointment, with the advice and consent of the Senate: Provided, however, that notwithstanding such appointment, such vacancy shall be filled by election at the next election after the occurrence of the vacancy.

77.

The Auditor of Public Accounts shall receive a salary of two thousand five hundred dollars per annum; the Treasurer shall receive a salary of two thousand dollars per annum, and the Secretary of State shall receive a salary of one thousand eight hundred dollars per annum. Each of the before named officers shall be paid monthly, and no fees or perquisites or other compensation shall be allowed to

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said officers: Provided, That the Secretary of State may be allowed fees as may be provided by law for copies and certificates furnished to private persons.

Art. 78. Appropriations for the clerical expenses of the officers named in the preceding article shall specify each item of such appropriations; and shall not exceed in any one year, for the Treasurer, the sum of two thousand dollars; for the Secretary of State, the sum of one thousand five hundred dollars; and for the Auditor of Public Accounts, the sum of four thousand dollars.

24.

There shall be an Attorney-General for the State, who shall be elected by the qualified electors of the State at large every four years. He shall be learned in the law, and shall have actually resided and practiced law as a licensed attorney in the State five years next preceeding his election. He shall receive a salary of three thousand dollars per annum, payable monthly on his own warrant.

Art. 284. The State Auditor, Attorney-General, Secretary of State and Superintendent of Public Education, elected at the first election held herein provided for, shall enter upon the discharge of the duties of their respective offices on the second Monday of January, 1880, after complying with the requisites of existing laws; and all other officers whose election or appointment is provided for by this Constitution shall enter upon the discharge of the duties of their respective offices on the first Monday of April, eighteen hundred and eighty,

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after complying with the requirements of existing laws; until which period all officers under the Constitution of eighteen hundred and sixty-eight shall receive the pay and emoluments provided for under said Constitution: Provided, That the pay of the officers elected or appointed under this Constitution shall not commence until after their induction into office. The State Treasurer elected in November, 1878, shall continue in office as if elected at the election to be held on the first Tuesday in December, 1879; but the salary of said officer shall be as established by this Constitution from and after the second Monday in January, 1880.

MAINE.

1. V.

The Secretary of State shall be chosen annually at the first session of the Legislature by joint ballot of the Senators and Representatives in convention.

1. V.

The Treasurer shall be chosen annually, at the first session of the Legislature, by joint ballot of the Senators and Representatives in convention, but shall not be eligible more than five years successively.

2. V.

The Treasurer shall, before entering on the duties of his office, give bond to the State, with sureties, to the satisfaction of the Legislature, for the faithful discharge of his trust.

3. V.

The Treasurer shall not, during his continuance in office, engage in any business of trade or commerce, or as a broker, nor as an agent or factor for any merchant or trader.

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3. V.

He shall attend the Governor and Council, Senate and House of Representatives, in person or by his deputies, as they shall respectively require.

4. V.

He shall carefully keep and preserve the records of all the official acts and proceedings of the Governor and Council, Senate and House of Representatives, and, when required, lay the same before either branch of the Legislature, and perform such other duties as are enjoined by this Constitution, or shall be required by law.

11. IX.

The Attorney-General shall be chosen annually by joint ballot of the Senators and Representatives in convention. Vacancy in said office, occurring when the Legislature is not in session, may be filled by the appointment of the Governor, with the advice and consent of the council.

27.

The Treasurer shall be chosen biennially, at the first session of the Legislature, by joint ballot of the Senators and Representatives in convention, but shall not be eligible more than six years successively.

MARYLAND.

22. II.

A Secretary of State shall be appointed by the Governor, by and with the advice and consent of the Senate, who shall continue in office, unless sooner removed by the Governor, till the end of the official term of the Governor from whom he received his appointment, and receive an annual salary of two thousand dollars, and shall re-

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side at the seat of government; and the office of private secretary shall thenceforth cease.

23. II.

The Secretary of State shall carefully keep and preserve a record of all official acts and proceedings, which may at all times be inspected by a committee of either branch of the Legislature; and he shall perform such other duties as may be prescribed by law, or as may properly belong to his office, together with all clerical duty belonging to the executive department.

1. VI.

There shall be a treasury department, consisting of a Comptroller, chosen by the qualified electors of the State at each regular election of members of the House of Delegates, who shall receive an annual salary of two thousand five hundred dollars; and a Treasurer, to be appointed by the two houses of the Legislature, at each regular session thereof, on joint ballot, who shall receive an annual salary of two thousand five hundred dollars; and the terms of office of the said Comptroller and Treasurer shall be for two years, and until their successors shall qualify; and neither of the said officers shall be allowed, or receive any fees, commissions or perquisites of any kind, in addition to his salary, for the performance of any duty or services whatsoever. In case of a vacancy in either of the offices, by death or otherwise, the Governor, by and with the advice and consent of the Senate, shall fill such vacancy by appointment, to continue until another election or a choice by the Legislature, as the case may be, and

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until the qualification of the successor. The Comptroller and the Treasurer shall keep their offices at the seat of government, and shall take such oath and enter into such bonds for the faithful discharge of their duties as are now or may hereafter be prescribed by law.

2. VI.

The Comptroller shall have the general superintendence of the fiscal affairs of the State; he shall digest and prepare plans for the improvement and management of the revenue, and for the support of the public credit; prepare and report estimates of the revenue and expenditures of the State; superintend and enforce the prompt collection of all taxes and revenue; adjust and settle, on terms prescribed by law, with delinquent collectors and receivers of taxes and State revenue; preserve all public accounts; decide on the forms of keeping and stating accounts; grant, under regulations prescribed by law, all warrants for money to be paid out of the treasury, in pursuance of appropriations by law; and countersign all checks drawn by the Treasurer upon any bank or banks, in which the moneys of the State, may from time to time, be deposited; prescribe the formalities of the transfer of stock or other evidence of the State debt, and countersign the same, without which such evidence shall not be valid; he shall make to the General Assembly full reports of all his proceedings, and of the state of the treasury department, within ten days after the commencement of each session; and perform such other duties as shall be prescribed by law.

3. VI.

The Treasurer shall receive the

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moneys of the State, and, until otherwise prescribed by law, deposit them as soon as received to the credit of the State in such bank or banks as he may, from time to time, with the approval of the Governor, select (the said bank or banks giving security, satisfactory to the Governor, for the safe-keeping and forthcoming, when required, of said deposits), and shall disburse the same for the purposes of the State, according to law, upon warrants drawn by the Comptroller, and on checks, countersigned by him, and not otherwise; he shall take receipts for all moneys paid by him; and receipts for moneys received by him shall be indorsed upon warrants, signed by the Comptroller; without which warrants, so signed, no acknowledgment of money received into the treasury shall be valid; and upon warrants issued by the Comptroller, he shall make arrangements for the payment of the interest of the public debt, and for the purchase thereof on account of the sinking fund. Every bond, certificate or other evidence of debt of the State, shall be signed by the Treasurer and countersigned by the Comptroller; and no new certificate or other evidence intended to replace another, shall be issued until the old one shall be delivered to the Treasurer, and authority executed in due form for the transfer of the same filed in his office, and the transfer accordingly made on the books thereof, and the certificate or other evidence cancelled; but the Legislature may make provision for the loss of certificates or other evidences of debt; and may prescribe by law the manner in which the Treasurer shall re-

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ceive and keep the moneys of the State.

4. VI.

The Treasurer shall render his accounts quarterly to the Comptroller, and shall publish monthly, in such newspapers as the Governor may direct, an abstract thereof, showing the amount of cash on hand, and the place or places of deposit thereof; and on the third day of each regular session of the Legislature he shall submit to the Senate and House of Delegates fair and accurate copies of all accounts by him, from time to time, rendered and settled with the Comptroller. He shall at all times submit to the Comptroller the inspection of the money in his hands, and perform all other duties that shall be prescribed by law.

MASSACHUSETTS.

4.

Art. 1. (The Secretary, Treasurer and Receiver-General, and the Commissary-General, notaries public, and) naval officers, shall be chosen annually, by joint ballot of the Senators and Representatives in one room. And, that the citizens of this Commonwealth may be assured, from time to time, that the moneys remaining in the public treasury, upon the settlement and liquidation of the public accounts, are their property, no man shall be eligible as Treasurer and Receiver-General more than five years successively. (See amendments, Art. XVII. For provision as to appointment of notaries public and the Commissary-General, see amendments, Art. IV.)

4.

Art. II. The records of the

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Commonwealth shall be kept in the office of the Secretary, who may appoint his deputies, for whose conduct he shall be accountable; and he shall attend the Governor and Council, the Senate and House of Representatives, in person, or by his deputies, as they shall respectively require.

Art. XVII. The Secretary, Treasurer and Receiver-General, Auditor and Attorney-General shall be chosen annually, on the day in November prescribed for the choice of Governor; and each person then chosen as such, duly qualified in other respects, shall hold his office for the term of one year from the third Wednesday in January next thereafter, and until another is chosen and qualified in his stead. The qualification of the voters, the manner the election shall be such as are required in the election of Governor. In case of a failure to elect either of said officers on the day in November aforesaid, or in case of the decease, in the meantime, of the person elected as such, such officer shall be chosen on or before the third Wednesday in January next thereafter, from the two persons who had the highest number of votes for said offices on the day of November aforesaid, by joint ballot of the Senators and Representatives, in one room; and in case the office of the Secretary, or Treasurer and Receiver-General, or Auditor, or Attorney-General, shall become vacant, from any cause, during an annual or special session of the General Court, such vacancy shall in like manner be filled by choice from the people at large; but if such vacancy shall occur at any other time, it shall be supplied

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by the Governor, by appointment, with the advice and consent of the Council. The person so chosen or appointed, duly qualified in other respects, shall hold his office until his successor is chosen and duly qualified in his stead. In case any person chosen or appointed to either of the said offices aforesaid, shall neglect, for the space of ten days after he could otherwise enter upon the discharge of his duties, to qualify himself in all respects to enter upon the discharge of such duties, the office to which he has been elected or appointed shall be deemed vacant. No person shall be eligible to either of said offices unless he shall have been an inhabitant of this Commonwealth five years next preceding his election or appointment.

MICHIGAN.

1. VIII.

There shall be elected at each general biennial election, a Secretary of State, a Superintendent of Public Instruction, State Treasurer, a Commissioner of the Land Office, an Auditor-General, and an Attorney-General for the term of two years. They shall keep their office at the seat of government, and shall perform such duties as may be prescribed by law.

2. VIII.

Their term of office shall commence on the first day of January, one thousand eight hundred and fifty-three, and of every second year thereafter.

14.

The Attorney-General of the State is required to prepare and report to the Legislature, at the commencement of the next session, such changes and modifications in existing laws as may be deemed necessary to adapt

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the same to this Constitution, and as may be best calculated to carry into effect its provisions, and he shall receive no additional compensation therefor.

MINNESOTA.

2. V.

The returns of every election for the officers named in the foregoing section shall be made to the Secretary of State, who shall call to his assistance two or more of the judges of the Supreme Court, and two disinterested judges of the District Courts of the State, who shall constitute a board of canvassers, who shall open and canvass said returns and declare the result within three days after such canvass.

5. V.

The official term of the Secretary of State, Treasurer and Attorney-General shall be two (2) years. The official term of the State Auditor shall be four (4) years, and each shall continue in office until his successor shall have been elected and qualified. The further duties and salaries of said executive officers shall each be prescribed by law.

11. IX.

There shall be published by the Treasurer, in at least one newspaper printed at the seat of government, during the first week of January in each year, and in the next volume of the acts of Legislature, detailed statements of all moneys drawn from the treasury during the preceding year; for what purpose and to whom paid, and by what law authorized; and also of all moneys received, and by what authority and from whom.

MISSISSIPPI.

106. IV.

There shall be a State Librarian,

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to be chosen by the Legislature, on joint vote of the two houses, to serve for four years, whose duties and compensation shall be prescribed by law. Any woman, a resident of the State four years, and who has attained the age of twenty years, shall be eligible to said office.

113. IV.

The Auditor shall, within sixty days after the adjournment of the Legislature, prepare and publish a full statement of all money expended at such session, specifying the items and amount of each item, and to whom, and for what paid; and he shall also publish the amounts of all appropriations.

133. V.

There shall be a Secretary of State, who shall be elected as herein provided. He shall be at least twenty-five years of age, a citizen of the State five years next preceding the day of his election, and he shall continue in office during the term of four years, and shall be keeper of the capitol; he shall keep a correct register of all official acts and proceedings of the Governor; and shall, when required, lay the same, and all papers, minutes and vouchers relative thereto, before the Legislature, and he shall perform such other duties as may be required of him by law. He shall receive such compensation as shall be prescribed.

134. V.

A State Treasurer and an Auditor of Public Accounts shall be elected, as herein provided, who shall hold their offices for the term of four years, and shall possess the same qualifications as required for the Secretary of State; they shall receive such compensation as may be pro-

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vided by law. Said Treasurer and Auditor of Public Accounts shall be ineligible to immediately succeed themselves or each other in office.

136. V.

All officers named in this article shall hold their offices during the term for which they were selected, unless removed, and until their successors shall be duly qualified to enter on the discharge of their respective duties.

137. V.

It shall be the duty of the State Treasurer, within ten days after the first day of January and July of each year, to publish a statement, under oath, in some newspaper published at the seat of government, showing the condition of the treasury on said days, the balance on hand and in what funds, together with a certificate of the Governor that he has verified the count of the funds in the treasury and found the balance, stated by the Treasurer, actually in the vaults of the treasury, or as the truth may be. And it shall be the duty of the Governor at such other times as he may deem proper to go to the treasury, without giving notice to the Treasurer, and verify the cash balance as shown by the books, and to publish the fact that he has done so, and whether the amount called for by the books be actually in the treasury, and stating whether the Treasurer had any notice whatever that the verification would be made.

143. V.

All other State officers shall be elected at the same time, and in the same manner as provided for election of Governor.

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173. VI.

There shall be an Attorney-General elected at the same time and in the same manner as the Governor is elected, whose term of office shall be for four years, and whose compensation shall be fixed by law. The qualifications for the Attorney-General shall be the same as herein prescribed for judges of the Circuit and Chancery Courts.

MISSOURI.

19. V.

No person shall be eligible to the office of Secretary of State, State Auditor, State Treasurer, Attorney-General or Superintendent of Public Schools unless he be a male citizen of the United States and at least twenty-five years old, and shall have resided in this State at least five years next before his election.

21. V.

The Secretary of State shall keep a register of the official acts of the Governor, and, when necessary, shall attest them, and lay copies of the same, together with copies of all papers relative thereto, before either house of the General Assembly whenever required to do so.

16. X.

The Treasurer shall keep a separate account of the funds, and the number and amount of warrants received, and from whom; and shall publish, in such manner as the Governor may designate, quarterly statements, showing the amount of State moneys, and where the same are kept or deposited.

MONTANA.

13. V.

The State Treasurer shall keep a separate account of each fund in his hands, and shall, at the

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end of each quarter of the fiscal year, report to the Governor, in writing, under oath, the amount of all moneys in his hands to the credit of every such fund, and the place or places where the same is kept or deposited, and the number and amount of every warrant paid or redeemed by him during the quarter. The Governor, or other person or persons authorized by law, shall verify said report, and cause the same to be immediately published in at least one newspaper printed at the seat of government, and otherwise as the Legislative Assembly may require. The Legislative Assembly may provide by law further regulations for the safe keeping and management of the public funds in the hands of the Treasurer; but, notwithstanding any such regulations, the Treasurer and his sureties shall, in all cases, be held responsible therefor.

8. VII.

The Legislative Assembly shall provide for a State Examiner, who shall be appointed by the Governor and confirmed by the Senate. His duty shall be to examine the accounts of State Treasurer, Supreme Court clerks, District Court clerks, and all county treasurers and treasurers of such other public institutions as may be prescribed by law, and he shall perform such other duties as the Legislative Assembly may prescribe. He shall report at least once a year and oftener if required to such officers as may be designated by the Legislative Assembly. His compensation shall be fixed by law.

NEBRASKA.

3. V.

The Treasurer shall be ineligible

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to the office of Treasurer for two years next after the expiration of two consecutive terms for which he was elected.

NEVADA.**19. V.**

A Secretary of State, a Treasurer, a Controller, a Surveyor-General, and an Attorney-General, shall be elected at the same time and places, and in the same manner as the Governor. The term of office of each shall be the same as is prescribed for the Governor. Any elector shall be eligible to either of said offices.

20. V.

The Secretary of State shall keep a true record of the official acts of the Legislature and executive departments of the government, and shall, when required, lay the same, and all matters relative thereto, before either branch of the Legislature.

NEW HAMPSHIRE.

Art. 67. The Secretary, Treasurer and Commissary-General shall be chosen by joint ballot of the Senators and Representatives, assembled in one room.

Art. 68. The records of the State shall be kept in the office of the Secretary; and he shall attend the Governor and council the Senate and Representatives, in person or by deputy, as they may require.

Art. 69. The Secretary of State shall at all times have a deputy, to be by him appointed, for whose conduct in office he shall be responsible; and, in case of the death, removal, or inability of the Secretary, his deputy shall exercise all the duties of the office

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of Secretary of this State until another shall be appointed.

Art. 70. The Secretary, before he enters upon the business of his office, shall give bond, with sufficient sureties, in a reasonable sum, for the use of the State, for the punctual performance of his trust.

NORTH CAROLINA.**14. III.**

The Secretary of State, Auditor, Treasurer and Superintendent of Public Instruction shall constitute, ex officio, the Council of State, who shall advise the Governor in the execution of his office, and three of whom shall constitute a quorum. Their advice and proceedings in this capacity shall be entered in a journal to be kept for this purpose exclusively, and signed by the members present, from any part of which any member may enter his dissent; and such journal shall be placed before the General Assembly when called for by either house. The Attorney-General shall be, ex officio, the legal adviser of the executive department.

15. III.

The officers mentioned in this article shall, at stated periods, receive for their services a compensation to be established by law, which shall neither be increased nor diminished during the time for which they shall have been elected, and the said officers shall receive no other emolument or allowance whatever.

NORTH DAKOTA.**82. III.**

There shall be chosen by the qualified electors of the State, at the times and places of choosing members of the Legis-

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lative Assembly, a Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Commissioner of Insurance, three Commissioners of Railroads, an Attorney-General and one Commissioner of Agriculture and Labor, who shall have attained the age of twenty-five years, shall be citizens of the United States, and shall have the qualifications of State electors. They shall severally hold their offices at the seat of government for the term of two years, and until their successors are elected and duly qualified, but no person shall be eligible to the office of Treasurer for more than two consecutive terms.

83. III.

The powers and duties of the Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Commissioners of Insurance, Commissioners of Railroads, Attorney-General and Commissioner of Agriculture and Labor, shall be as prescribed by law.

2. III.

The Governor, Lieutenant-Governor, Secretary of State, Treasurer, and Attorney-General shall hold their offices for two years, and the Auditor for four years. Their terms of office shall commence on the second Monday of January next after their election, and continue until their successors are elected and qualified.

19. III.

The officers mentioned in this article shall, at stated times, receive for their services a compensation to be established by law, which shall neither be increased nor diminished during

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the period for which they shall have been elected.

12. VIII.

So long as this State shall have public works which require superintendence, there shall be a Board of Public Works, to consist of three members, who shall be elected by the people at the first general election after the adoption of this Constitution, one for the term of one year, and one for the term of two years, and one for the term of three years; and one member of said board shall be elected annually thereafter, who shall hold his office for three years.

13. VIII.

The powers and duties of said Board of Public Works, and its several members, and their compensation, shall be such as now are, or may be prescribed by law.

OREGON.

1.

There shall be elected by the qualified electors of the State, at the time and place of choosing members of the Legislative Assembly, a Secretary and Treasurer of State, who shall severally hold their offices for the term of four years; but no person shall be eligible to either of said offices more than eight in any period of twelve years.

2. VI.

The Secretary of State shall keep a fair record of the official acts of the Legislative Assembly and executive department of the State, and shall, when required, lay the same, and all matters relative thereto, before either branch of the Legislative Assembly. He shall be, by virtue of his office, auditor of public accounts, and shall perform such other duties as shall be assigned him by law.

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4. VI.

The power and duties of the Treasurer of State shall be such as may be prescribed by law.

PENNSYLVANIA.

21. IV.

The term of Secretary of Internal Affairs shall be four years, of the Auditor-General three years, and of the State Treasurer two years. These officers shall be chosen by the qualified electors of the State at general elections. No person elected to the office of Auditor-General or State Treasurer shall be capable of holding the same office for two consecutive terms.

RHODE ISLAND.

12. VII.

The duties and powers of the Secretary, Attorney-General and General Treasurer shall be the same under this Constitution as are now established, or as from time to time may be prescribed by law.

1. VIII.

The Governor, Lieutenant-Governor, Senators, Representatives, Secretary of State, Attorney-General and General Treasurer shall be elected at the town, city or ward meetings to be holden on the first Wednesday of April, annually; and shall severally hold their offices for one year from the first Tuesday of May next succeeding, and until others are legally chosen and duly qualified to fill their places. If elected or qualified after the said first Tuesday of May, they shall hold their offices for the remainder of the political year, and until their successors are qualified to act.

8. VIII.

In case an election of the Secretary of State, Attorney-General

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or General Treasurer should fall to be made by the electors at the annual election, the vacancy or vacancies shall be filled by the General Assembly in grand committee from the two candidates for such office having the greatest number of votes of the electors. Or, in case of a vacancy in either of said offices from other causes, between the sessions of the General Assembly, the Governor shall appoint some person to fill the same until a successor elected by the General Assembly is qualified to act; and in such case, and also in all other cases of vacancies not otherwise provided for, the General Assembly may fill the same in any manner they may deem proper.

SOUTH CAROLINA.

23. III.

There shall be elected by the qualified voters of the State a Comptroller-General, a Treasurer and a Secretary of State, who shall hold their respective offices for the term of four years, and whose duties and compensation shall be prescribed by law.

28. IV.

There shall be an Attorney-General for the State, who shall perform such duties as may be prescribed by law. He shall be elected by the qualified electors of the State for the term of four years, and shall receive for his services such compensation as shall be fixed by law.

29. IV.

There shall be one solicitor for each circuit, who shall reside therein, to be elected by the qualified electors of the circuit, who shall hold his office for the term of four years, and shall receive for his services such

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compensation as shall be fixed by law. In all cases where an attorney for the State of any circuit fails to attend and prosecute according to law, the court shall have power to appoint an attorney pro tempore.

10. XIV.

The election for all State officers shall take place at the same time as is provided for that of members of the General Assembly, and the election for those officers whose terms of service are for four years shall be held at the time of each alternate general election.

Strike out of section 23 of article III. the word "four," occurring in the third line, and insert the word "two," so that the section of the Constitution will read, when amended, as follows:

"Sec. 23. There shall be elected by the qualified voters of the State a Comptroller-General, Secretary of State, Treasurer, Attorney-General, Adjutant and Inspector-General and Superintendent of Education, who shall hold their respective offices for the term of two years, and whose duties and compensation shall be prescribed by law." (Ratified March 4, 1875.)

SOUTH DAKOTA.

12. IV.

There shall be chosen by the qualified electors of the State, at the time and places of choosing members of the Legislature, a Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Commissioner of School and Public Lands, and an Attorney-General, who shall severally hold their offices for the term of two years; but no person shall be eligible to the office of Treasurer for more than two terms

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consecutively. They shall respectively keep their offices at the seat of government.

24. V.

The Legislature shall have power to provide for State's attorneys and to prescribe their duties and fix their compensation; but no person shall be eligible to the office of Attorney-General or State's Attorney who shall not, at the time of his election, be at least twenty-five years of age, and possess all the other qualifications for judges of Circuit Courts as prescribed in this article.

TENNESSEE.

17. III.

A Secretary of State shall be appointed by joint vote of the General Assembly and commissioned during the term of four years; he shall keep a fair register of all the official acts and proceedings of the Governor; and shall, when required, lay the same, and all papers, minutes and vouchers relative thereto, before the General Assembly; and shall perform such other duties as shall be enjoined by law.

5. VI.

An Attorney-General and Reporter for the State shall be appointed by the judges of the Supreme Court, and shall hold his office for the term of eight years. An Attorney for the State for any circuit or district for which a judge having criminal jurisdiction shall be provided by law, shall be elected by the qualified voters of such circuit or district, and shall hold his office for a term of eight years, and shall have been a resident of the State for five years, and of the circuit or district, one year. In all cases

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where the attorney for any district falls or refuses to attend and prosecute according to law, the court shall have power to appoint an attorney pro tempore.

3. VII.

There shall be a Treasurer, or Treasurers, and a Comptroller of the Treasury, appointed for the State, by the vote of both houses of the General Assembly, who shall hold their offices for two years.

TEXAS.

21. IV.

There shall be a Secretary of State, who shall be appointed by the Governor, by and with the advice and consent of the Senate, and who shall continue in office during the term of service of the Governor. He shall authenticate the publication of the laws, and keep a fair register of all official acts and proceedings of the Governor, and shall, when required, lay the same, and all papers, minutes and vouchers relative thereto, before the Legislature or either house thereof, and shall perform such other duties as may be required of him by law. He shall receive for his services an annual salary of two thousand dollars, and no more.

22. IV.

The Attorney-General shall hold his office for two years and until his successor is duly qualified. He shall represent the State in all suits and pleas in the Supreme Court of the State in which the State may be a party, and shall especially inquire into the charter rights of all private corporations, and, from time to time, in the name of the State, take such action in the courts as may be proper and necessary to prevent any

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private corporation from exercising any power, or demanding or collecting any species of taxes, toll, freight or wharfage not authorized by law. He shall, whenever sufficient cause exists, seek a judicial forfeiture of such charters, unless otherwise expressly directed by law, and give legal advice in writing to the Governor and other executive officers, when requested by them, and perform such other duties as may be required by law. He shall reside at the seat of government during his continuance in office. He shall receive for his services an annual salary of two thousand dollars, and no more, besides such fees as may be prescribed by law: Provided, That the fees which he may receive shall not amount to more than two thousand dollars annually.

23. IV.

The Comptroller of Public Accounts, the Treasurer and the Commissioner of the General Land Office shall each hold office for the term of two years, and until his successor is qualified; receive an annual salary of two thousand five hundred dollars, and no more; reside at the capital of the State during his continuance in office; and perform such duties as are or may be required of him by law. They and the Secretary of State shall not receive to their own use any fees, costs or perquisites of office. All fees that may be payable by law for any service performed by any officer specified in this section, or in his office, shall be paid, when received, into the State treasury.

VERMONT.

27.

The Treasurer of the State shall, before the Governor and Council, give sufficient security to the Secretary of the State in behalf of the General Assembly; and each high-sheriff, before the first judge of the County Court, to the treasurer of

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their respective counties, previous to their respectively entering upon the execution of their offices, in such manner and in such sums as shall be directed by the Legislature.

The Secretary of State, and all officers whose election are not otherwise provided for, and who, under the existing provisions of the Constitution, are elected by the Council and House of Representatives, shall hereafter be elected by the Senate and House of Representatives in joint assembly, at which the presiding officer of the Senate shall preside; and such presiding officer in such joint assembly shall have a casting vote, and no other.

VIRGINIA.

12. IV.

A Secretary of the Commonwealth, Treasurer and Auditor of Public Accounts shall be elected by the joint vote of the two houses of the General Assembly, and continue in office for the term of two years, unless sooner relieved. The salary of each shall be determined by law.

14. IV.

The powers and duties of the Treasurer and Auditor shall be such as are now or may hereafter be prescribed by law.

15. IV.

There may be established in the office of the Secretary of State a bureau of statistics and a bureau of agriculture, chemistry and geology, under such regulations as may be prescribed by law.

8. VI.

At every election of a Governor an Attorney-General shall be elected by the qualified voters of this Commonwealth. He shall be commissioned by the Governor, perform such duties and receive such compensation as may be prescribed by law,

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and shall be removable in the manner prescribed for the removal of judges.

17. IV.

There shall be a Board of Public Works, to consist of the Governor, Auditor and Treasurer of the Commonwealth, under such regulations as may be prescribed by law.

WASHINGTON.

34. II.

There shall be established in the office of the Secretary of State a bureau of statistics, agriculture and immigration, under such regulations as the Legislature may provide.

17. III.

The Secretary of State shall keep a record of the official acts of the Legislature and the executive department of the State, and, shall, when required, lay the same, and all matters relative thereto, before either branch of the Legislature, and shall perform such other duties as shall be assigned him by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by the Legislature, but shall never exceed three thousand dollars per annum.

19. III.

The Treasurer shall perform such duties as shall be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the Legislature, but shall never exceed four thousand dollars per annum.

21. III.

The Attorney-General shall be the legal advisor of the State officers, and shall perform such other duties as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be in-

State Officers.

Sec. Art

creased by the Legislature, but shall never exceed thirty-five hundred dollars per annum.

WEST VIRGINIA.**13. VII.**

When any State officer has executed his official bond, the Governor shall, for such causes and in such manner as the Legislature may direct, require of such officer reasonable additional security; and if the security is not given as required, his office shall be declared vacant in such manner as may be provided by law.

WISCONSIN.**1. VI.**

There shall be chosen by the qualified electors of the State, at the times and places of choosing the members of the Legislature, a Secretary of State, Treasurer, and Attorney-General, who shall severally hold their offices for the term of two years.

2. VI.

The Secretary of State shall keep a fair record of the official acts of the Legislature and executive department of the State, and shall, when required, lay the same and all matters relative thereto, before either branch of the Legislature. He shall be ex officio auditor, and shall perform such other duties as shall be assigned him by law. He shall receive as a compensation for his services, yearly, such sum as shall be provided by law, and shall keep his office at the seat of government.

3. VI.

The powers, duties and compensation of the Treasurer and Attorney-General shall be prescribed by law.

Sec. Art.

WYOMING.**11. IV.**

There shall be chosen by the qualified electors of the State at the times and places of choosing members of the Legislature a Secretary of State, Auditor Treasurer and Superintendent of Public Instruction, who shall have attained the age of twenty-five years respectively, shall be citizens of the United States, and shall have the qualifications of State electors. They shall severally hold their offices at the seat of government for the term of four (4) years, and until their successors are elected and duly qualified; but no person shall be eligible for the office of Treasurer for four (4) years after the expiration of the term for which he was elected. The Legislature may provide for such other State officers as are deemed necessary.

12. IV.

The powers and duties of the Secretary of State, of State Auditor, Treasurer and Superintendent of Public Instruction shall be as prescribed by law.

6. IX.

There shall be a State Geologist, who shall be appointed by the Governor of the State, with the advice and consent of the Senate. He shall hold his office for the term of six (6) years or until his successor shall have been appointed and shall have qualified. His duties and compensation shall be prescribed by law. No person shall be appointed to this position unless he has such theoretical knowledge and such practical experience and skill as shall fit him for the position; said State Geologist shall ex officio perform the duties of inspector of mines until otherwise provided by law.

State Officers.

Sec. Art.

2. VIII.

There shall be constituted a Board of Control, to be composed of the State Engineer and superintendents of water divisions, which shall, under such regulations as may be prescribed by law, have the supervision of the waters of the State and of their appropriation, distribution and diversion, and of the various officers connected therewith. Its decisions to be subject to review by the courts of the State.

5. VIII.

There shall be a State Engineer, who

Sec. Art.

shall be appointed by the Governor of the State and confirmed by the Senate; he shall hold his office for the term of six (6) years, or until his successor shall have been appointed and shall have qualified. He shall be president of the board of control, and shall have general supervision of the waters of the State and of the officers connected with their distribution. No person shall be appointed to this position who has not such theoretical knowledge and such practical experience and skill as shall fit him for the position.

SUPERINTENDENT OF PUBLIC WORKS.

1 Sec. 3. A superintendent of public works shall be
2 appointed by the Governor, by and with the advice and con-
3 sent of the Senate, and hold his office until the end of the term
4 of the Governor by whom he was nominated, and until his
5 successor is appointed and qualified. He shall receive a com-
6 pensation to be fixed by law. He shall be required by law to
7 give security for the faithful execution of his office before enter-
8 ing upon the duties thereof. He shall be charged with the
9 execution of all laws relating to the repair and navigation of
10 the canals, and also of those relating to the construction and
11 improvement of the canals, except so far as the execution of the
12 laws relating to such construction or improvement shall be
13 confided to the State Engineer and Surveyor; subject to the
14 control of the Legislature, he shall make the rules and regu-
15 lations for the navigation or use of the canals. He may be
16 suspended or removed from office by the Governor, whenever,
17 in his judgment, the public interest shall so require; but in
18 case of the removal of such Superintendent of Public Works
19 from office, the Governor shall file with the Secretary of State
20 a statement of the cause of such removal, and shall report such
21 removal and the cause thereof to the Legislature at its next
22 session. The Superintendent of Public Works shall appoint

Superintendent of Public Works.

23 not more than three assistant superintendents, whose duties
24 shall be prescribed by him, subject to modification by the
25 Legislature, and who shall receive for their services a com-
26 pensation to be fixed by law. They shall hold their office for
27 three years, subject to suspension or removal by the Super-
28 intendent of Public Works, whenever, in his judgment, the
29 public interest shall so require. Any vacancy in the office of any
30 such assistant superintendent shall be filled for the remainder
31 of the term for which he was appointed, by the Superin-
32 tendent of Public Works; but in case of the suspension or
33 removal of any such assistant superintendent by him, he shall
34 at once report to the Governor, in writing, the cause of such
35 removal. All other persons employed in the care and man-
36 agement of the canals, except collectors of tolls, and those in
37 the department of the State Engineer and Surveyor, shall be
38 appointed by the Superintendent of Public Works, and be
39 subject to suspension or removal by him. The Superintendent
40 of Public Works shall perform all the duties of the former
41 Canal Commissioners, and Board of Canal Commissioners, as
42 now declared by law, until otherwise provided by the Legis-
43 lature. The Governor, by and with the advice and consent of
44 Senate, shall have power to fill vacancies in the office of
45 Superintendent of Public Works; if the Senate be not in ses-
46 sion, he may grant commissions which shall expire at the end
47 of the next succeeding session of the Senate.

SUPERINTENDENT OF PRISONS.

1 Sec. 4. A Superintendent of State Prisons shall be
 2 appointed by the Governor, by and with the advice and con-
 3 sent of the Senate, and hold his office for five years, unless
 4 sooner removed; he shall give security in such amount, and
 5 with such sureties as shall be required by law for the faith-
 6 ful discharge of his duties; he shall have the superintendence,
 7 management and control of State prisons, subject to such laws
 8 as now exist or may hereafter be enacted; he shall appoint
 9 the agents, wardens, physicians and chaplains of the prisons.
 10 The agent and warden of each prison shall appoint all other
 11 officers of such prison, except the clerk, subject to the approval
 12 of the same by the Superintendent. The Comptroller shall
 13 appoint the clerks of the prisons. The Superintendent shall
 14 have all the powers and perform all the duties not incon-
 15 sistent herewith, which were formerly had and performed by
 16 the Inspectors of State Prisons. The Governor may remove
 17 the Superintendent for cause at any time, giving to him a copy
 18 of the charges against him, and an opportunity to be heard
 19 in his defense.

Sec. Art.

IDAHO.**18. IV.**

The Governor, Secretary of State
 and Attorney-General shall con-
 stitute a Board of State Prison

Sec. Art.

Commissioners, which board
 shall have such supervision over
 all matters connected with the
 State prison as may be pre-
 scribed by law. They shall also

Superintendent of Prisons.

Sec. Art.

constitute a Board of Examiners, with power to examine all claims against the State, except salaries or compensation of officers fixed by law, and perform such other duties as may be prescribed by law. And no claim against the State, except salaries and compensation of officers fixed by law, shall be passed upon by the Legislature without first having been considered and acted upon by said board.

5. X.

The Governor, Secretary of State and Attorney-General shall constitute a board, to be known as the State Prison Commissioners, and shall have the control, direction and management of the penitentiaries of the State. The Governor shall be chairman, and the board shall appoint a warden, who may be removed at pleasure. The warden shall have the power to appoint his subordinates, subject to the approval of the said board.

MONTANA.

20. VII.

The Governor, Secretary of State and Attorney-General shall constitute a Board of State Prison Commissioners, which board shall have such supervision of all matters connected with the State prisons as may be prescribed by law. They shall constitute a Board of Examiners, with power to examine all

Sec. Art

claims against the State, except salaries or compensation of officers fixed by law, and perform such other duties as may be prescribed by law. And no claims against the State except for salaries and compensation of officers fixed by law shall be passed upon by the Legislative Assembly without first having been considered and acted upon by said board. The Legislative Assembly may provide for the temporary suspension of the State Treasurer by the Governor, when the Board of Examiners deem such action necessary for the protection of the moneys of the State.

NEVADA.

21. V.

The Governor, Secretary of State and Attorney-General shall constitute a Board of State Prison Commissioners, which board shall have such supervision of all matters connected with the State prison as may be provided by law. They shall also constitute a Board of Examiners, with power to examine all claims against the State (except salaries or compensation of officers fixed by law), and perform such other duties as may be prescribed by law. And no claim against the State (except salaries or compensation of officers fixed by law) shall be passed upon by the Legislature without having been considered and acted upon by said Board of Examiners.

**COMMISSIONERS OF THE LAND OFFICE—OF THE CANAL
FUND—CANAL BOARD.**

1 Sec. 5. The Lieutenant-Governor, Speaker of the Assem-
2 bly, Secretary of State, Comptroller, Treasurer, Attor-
3 ney-General and State Engineer and Surveyor shall be the
4 commissioners of the land office. The Lieutenant-Governor,
5 Secretary of State, Comptroller, Treasurer and Attorney-
6 General shall be the commissioners of the canal fund. The
7 canal board shall consist of the commissioners of the canal
8 fund, the State Engineer and Surveyor and the Superintendent
9 of Public Works.

Sec. Art.**COLORADO.****9. IX.**

The Governor, Superintendent of Public Instruction, Secretary of State and Attorney-General shall constitute the State Board of Land Commissioners, who shall have the direction, control and disposition of the public lands of the State, under such regulations as may be prescribed by law.

IDAHO.**7. IX.**

The Governor, Superintendent of Public Instruction, Secretary of State and Attorney-General shall constitute the State Board of Land Commissioners, who shall have the direction, control and disposition of the public lands of the State, under such regulations as may be prescribed by law.

MARYLAND.**4. VII.**

There shall be a Commissioner of the

Sec. Art.

Land Office, who shall be appointed by the Governor, by and with the advice and consent of the Senate, who shall hold his office during the term of the Governor by whom he shall have been appointed, and until his successor shall be appointed and qualified. He shall perform such duties as are now required of the Commissioner of the Land Office, or such as may hereafter be prescribed by law, and shall also be the keeper of the chancery records. He shall receive a salary of one thousand five hundred dollars per annum, to be paid out of the treasury, and shall charge such fees as are now or may be hereafter fixed by law. He shall make a semi-annual report of all the fees of his office, both as Commissioner of the Land Office and as keeper of the chancery records, to the Comptroller of Treasury, and shall pay the same semi-annually into the treasury.

Commissioners of the Land Office, etc.

Sec. Art.

MICHIGAN.**4. VIII.**

The Secretary of State, State Treasurer, and Commissioner of the State Land Office shall constitute a board of State auditors, to examine and adjust all claims against the State not otherwise provided for by the general law. They shall constitute a board of State canvassers, to determine the result of all elections for Governor, Lieutenant-Governor and State officers, and of such other officers as shall by law be referred to them.

MONTANA.**4. XI.**

The Governor, Superintendent of Public Instruction, Secretary of State and Attorney-General shall constitute the State Board of Land Commissioners, which shall have the direction, control, leasing and sale of the school lands of the State, and the lands granted or which may hereafter be granted for the support and benefit of the various State educational institutions, under such regulations and restrictions as may be prescribed by law.

NEBRASKA.**19. V.**

The Commissioner of Public Lands and Buildings, the Secretary of State, Treasurer and Attorney-General shall form a board, which shall have general supervision and control of all the buildings, grounds and lands of the State, the State prison, asylums, and all other institutions thereof, except those for educational purposes; and shall perform such duties and be subject to such rules and regulations as may be prescribed by law.

TEXAS.**1. XIV.**

There shall be one general land

Sec. Art.

office in the State, which shall be at the seat of government, where all land titles which have emanated or may hereafter emanate from the State shall be registered, except those titles the registration of which may be prohibited by this Constitution. It shall be the duty of the Legislature at the earliest practicable time to make the land office self-sustaining, and from time to time the Legislature may establish such subordinate offices as may be deemed necessary.

WISCONSIN.**7. X.**

The Secretary of State, Treasurer and Attorney-General shall constitute a board of commissioners for the sale of the school and university lands and for the investment of the funds arising therefrom. Any two of said commissioners shall be a quorum for the transaction of all business pertaining to the duties of their office.

WYOMING.**3. XVII.**

The Governor, Secretary of State, State Treasurer, and Superintendent of Public Instruction shall constitute the Board of Land Commissioners, which, under the direction of the Legislature, as limited by this Constitution, shall have direction, control, leasing and disposal of the lands of the State granted, or which may be hereafter granted for the support and benefit of public schools, subject to the further limitations that the sale of all lands shall be at public auction, after such delay (not less than the time fixed by Congress) in portions at proper intervals of time, and at such

Commissioners of the Land Office, etc.

Sec. Art.

maximum prices (not less than the minimum fixed by Congress) as to realize the largest possible proceeds.

3. XVIII.

The Governor, Superintendent of Public Instruction and Secretary of State, shall constitute a

Sec. Art.

board of land commissioners who, under such regulations as may be provided by law, shall have the direction, control, disposition and care of all lands that have been heretofore or may hereafter be granted to the State.

Powers and Duties of Boards.

POWERS AND DUTIES OF BOARDS.

- 1 Sec. 6. The powers and duties of the respective boards,
 2 and of the several officers in this article mentioned, shall be
 3 such as are now or hereafter may be prescribed by law.

Sec. Art.

CALIFORNIA.

1. X.

There shall be a State Board of Prison Directors, to consist of five persons, to be appointed by the Governor, with the advice and consent of the Senate, who shall hold office for ten years, except that the first appointed shall, in such manner as the Legislature may direct, be so classified that the term of one person so appointed shall expire at the end of each two years during the first ten years, and vacancies occurring shall be filled in such manner. The appointee to a vacancy occurring before the expiration of a term shall hold office only for the unexpired term of his predecessor. The Governor shall have the power to remove either of the directors for misconduct, incompetency, or neglect of duty, after an opportunity to be heard upon written charges.

2. X.

The Board of Directors shall have the charge and superintendence of the State prisons, and shall possess such powers and perform such duties in respect to other penal and reformatory institutions of the State as the Legislature may prescribe.

3. X.

The Board shall appoint the warden and clerk, and determine the other necessary officers of

Sec. Art.

the prison. The Board shall have power to remove the wardens and clerks for misconduct, incompetency, or neglect of duty. All other officers and employes of the prisons shall be appointed by the warden thereof, and be removed at his pleasure.

4. X.

The members of the Board shall receive no compensation, other than reasonable traveling and other expenses incurred while engaged in the performance of official duties, to be audited as the Legislature may direct.

COLORADO.

10. IX.

It shall be the duty of the State Board of Land Commissioners to provide for the location, protection, sale or other disposition of all the lands heretofore or which may hereafter be granted to the State by the general government, under such regulations as may be prescribed by law, and in such manner as will secure the maximum possible amount therefor. No law shall ever be passed by the General Assembly granting any privileges to persons who may have settled upon any such public lands subsequent to the survey thereof by the general government, by which the amount to be derived by the sale, or other disposition of such lands, shall be diminished,

Powers and Duties of Boards.

Sec. Art.

directly or indirectly. The General Assembly shall, at the earliest practical period, provide by law that the several grants of land made by Congress to the State shall be judiciously located and carefully preserved and held in trust subject to disposal, for the use and benefit of the respective objects for which said grants of land were made, and the General Assembly shall provide for the sale of said lands from time to time; and for the faithful application of the proceeds thereof in accordance with the terms of said grants.

IDAHO.

8. V.

It shall be the duty of the State Board of Land Commissioners to provide for the location, protection, sale or rental of all the lands heretofore, or which may hereafter be, granted to the State by the general government, under such regulations as may be prescribed by law, and in such manner as will secure the maximum possible amount therefor: Provided, That no school lands shall be sold for less than ten (10) dollars per acre. No law shall ever be passed by the Legislature granting any privileges to persons who may have settled upon any such public lands subsequent to the survey thereof by the general government, by which amount to be derived by the sale, or other disposition of such lands, shall be diminished, directly or indirectly. The Legislature shall, at the earliest practical period, provide by law that the general grants of land made by Congress to the State shall be judiciously located and carefully preserved and held in trust, subject to disposal at

Sec. Art. '

10. V.

public auction for the use and benefit of the respective objects for which said grants of land were made, and the Legislature shall provide for the sale of said lands from time to time, and for the sale of timber on all State lands, and for the faithful application of the proceeds thereof in accordance with the terms of said grants: Provided, That not to exceed twenty-five sections of school lands shall be sold in any one year, and to be sold in subdivisions of not to exceed one hundred and sixty (160) acres to any one individual, company or corporation.

12. VII.

There shall be a State Board of Equalization, consisting of the Governor, Secretary of State, Attorney-General, State Auditor and State Treasurer, whose duties shall be prescribed by law. The Board of County Commissioners for the several counties of the State shall constitute boards of equalization for their respective counties, whose duty it shall be to equalize the valuation of the taxable property in the county, under such rules and regulations as shall be prescribed by law.

MARYLAND.

5. VII.

The Commissioner of the Land Office shall also, without additional compensation, collect, arrange, classify, have charge of, and safely keep all papers, records, relics and other memorials connected with the early history of Maryland, not belonging to any other office.

1. XII.

The Governor, the Comptroller of the Treasury, and the Treasurer shall constitute the Board of Public Works in this State.

Powers and Duties of Boards.

Sec. Art.

They shall keep a journal of their proceedings, and shall hold regular sessions in the city of Annapolis, on the first Wednesday in January, April, July and October, in each year, and oftener, if necessary; at which sessions they shall hear and determine such matters as affect the public works of the State, and as the General Assembly may confer upon them the power to decide.

2. XII.

They shall exercise a diligent, faithful supervision of all public works in which the State may be interested as stockholder or creditor, and shall represent and vote the stock or the State of Maryland in all meetings of the stockholders of the Chesapeake and Ohio canal; and shall appoint the directors in every railroad and canal company in which the State has the legal power to appoint directors, which said directors shall represent the State in all meetings of the stockholders of the respective companies for which they are appointed or elected. And the president and directors of the said Chesapeake and Ohio Canal Company shall so regulate the tolls of said company, from time to time, as to produce the largest amount of revenue, and to avoid the injurious effects to said company of rival competition by other internal improvement companies. They shall require the directors of all said public works to guard the public interest and prevent the establishment of tolls which shall discriminate against the interest of the citizens or products of this State, and from time to time, and as often as there shall be any change

Sec. Art.

in the rates of toll on any of the said works, to furnish the said Board of Public Works a schedule of such modified rates of toll, and to adjust them as to promote the agricultural interests of the State; and they shall report to the General Assembly at each regular session and recommend such legislation as they may deem necessary and requisite to promote or protect the interests of the State in the said public works; they shall perform such other duties as may be hereafter prescribed by law; and a majority of them shall be competent to act. The Governor, Comptroller and Treasurer shall receive no additional salary for services rendered by them as members of the Board of Public Works. The provisions of the act of the General Assembly of Maryland of the year 1867, chapter 359, are hereby declared null and void.

3. XII.

(2.) The Board of Public Works is hereby authorized, subject to such regulations and conditions as the General Assembly may from time to time prescribe, to sell the State's interest in all works of internal improvement, whether as a stockholder or a creditor, and also the State's interest in any banking corporation, receiving in payment the bonds and registered debt now owing by the State, equal in amount to the price obtained for the State's said interest. (Thus amended by act of 1890, chapter 362, and ratified by the people, November 3, 1891.)

MONTANA.

15. XII.

The Governor, Secretary of State, State Treasurer, State Auditor

Powers and Duties of Boards.

Sec. Art.

and Attorney-General shall constitute a State Board of Equalization, and the Board of County Commissioners of each county shall constitute a county board of equalization. The duty of the State Board of Equalization shall be to adjust and equalize the valuation of the taxable property among the several counties of the State. The duty of the county boards of equalization shall be to adjust and equalize the valuation of taxable property within their respective counties. Each board shall also perform such other duties as may be prescribed by law.

NEBRASKA.

1. VIII.

The Governor, Secretary of State, Treasurer, Attorney-General and Commissioner of Public Lands and Buildings shall, under the direction of the Legislature, constitute a board of commissioners for the sale, leasing, and general management of all lands and funds set apart for educational purposes, and for the investment of school funds in such manner as may be prescribed by law.

OHIO.

11. VIII.

The said commissioners shall, semi-annually, make a full and detailed report of their proceedings to the Governor, who shall immediately cause the same to be published, and

Sec. Art.

shall also communicate the same to the General Assembly forthwith, if it be in session, and if not, then at its first session after such report shall be made.

WASHINGTON.

23. III.

The Commissioner of Public Lands shall perform such duties and receive such compensation as the Legislature may direct.

WYOMING.

10. V.

The duties of the State Board shall be as follows: To fix a valuation each year for the assessment of live stock and to notify the several county boards of equalization of the rate so fixed at least ten (10) days before the day fixed for beginning assessments to assess at their actual value the franchises, roadway, roadbed, rails and rolling stock and all other property used in the operation of all railroads and other common carriers, except machine shops, rolling mills and hotels in this State; such assessed valuation shall be apportioned to the counties in which said roads and common carriers are located, as a basis for taxation of such property: Provided, That the assessment so made shall not apply to incorporated towns and cities. Said board shall also have power to equalize the valuation on all property in the several counties for the State revenue and on such other duties as may be prescribed by law.

Treasurer May be Suspended by the Governor.

TREASURER MAY BE SUSPENDED BY THE GOVERNOR.

1 Sec. 7. The Treasurer may be suspended from office
2 by the Governor, during the recess of the Legislature, and
3 until thirty days after the commencement of the next session
4 of the Legislature, whenever it shall appear to him that such
5 treasurer has, in any particular, violated his duty. The Gov-
6 ernor shall appoint a competent person to discharge the duties
7 of the office during such suspension of the Treasurer.

Offices Abolished.

OFFICES ABOLISHED.

1 Sec. 8. All offices for the weighing, gauging, measur-
2 ing, culling or inspecting any merchandise, produce, manu-
3 facture or commodity whatever, are hereby abolished; and no
4 such office shall hereafter be created by law; but nothing in
5 this section contained shall abrogate any office created for
6 the purpose of protecting the public health or the interests of
7 the State in its property, revenue, tolls or purchases, or of
8 supplying the people with correct standards of weights and
9 measures, or shall prevent the creation of any office for such
10 purpose hereafter.

Sec. Art.**ALABAMA.****38. IV.**

No State office shall be continued or created for the inspection or measuring of any merchandise, manufacture or commodity; but any county or municipality may appoint such officers when authorized by law.

Sec. Art.**PENNSYLVANIA.****27. III.**

No State officer shall be continued or created for the inspection or measuring of any merchandise, manufacture or commodity, but any county or municipality may appoint such officers when authorized by law.

[APPOINTMENTS AND PROMOTIONS IN THE CIVIL SERVICE.

1 Sec. 9. Appointments and promotions in the civil ser-
2 vice of the State, and of all the civil divisions thereof, including
3 cities and villages, shall be made according to merit and fitness
4 to be ascertained, so far as practicable, by examinations, which,
5 so far as practicable, shall be competitive; provided, however,
6 that honorably discharged soldiers and sailors from the army
7 and navy of the United States in the late civil war, who are
8 citizens and residents of this State, shall be entitled to prefer-
9 ence in appointment and promotion, without regard to their
10 standing on any list from which such appointment or pro-
11 motion may be made. Laws shall be made to provide for the
12 enforcement of this section.

General Provisions.

GENERAL PROVISIONS.

Sec. Art.

ALABAMA.**17. V.**

No person shall, at one and the same time, hold the office of Governor of this State and any other office, civil or military, either under this State, the United States, or any other State or government, except as otherwise provided in this Constitution.

20. V.

There shall be a great seal of the State, which shall be used officially by the Governor; and the seal now in use shall continue to be used until another shall have been adopted by the General Assembly. The said seal shall be called the "Great Seal of the State of Alabama."

21. V.

The Secretary of State shall be the custodian of the seal of the State, and shall authenticate therewith all official acts of the Governor, his approval of laws and resolutions excepted. He shall keep a register of the official acts of the Governor, and when necessary shall attest them, and lay copies of the same together with copies of all papers relative thereto, before either house of the General Assembly, whenever required to do so, and shall perform such other duties as may be prescribed by law.

ARKANSAS.**9. VI.**

A seal of the State shall be kept by the Governor, used by him officially, and called the "Great Seal of the State of Arkansas."

10. VI.

All grants and commissions shall

Sec. Art.

be issued in the name and by the authority of the State of Arkansas, sealed with the great seal of the State, signed by the Governor and attested by the Secretary of State.

11. VI.

No member of Congress, or other person holding office under the authority of this State, or of the United States, shall exercise the office of Governor, except as herein provided.

CALIFORNIA.**12. V.**

No person shall, while holding any office under the United States, or this State, exercise the office of Governor, except as hereinafter expressly provided.

13. V.

There shall be a seal of the State, which shall be kept by the Governor, and used by him officially, and shall be called "The Great Seal of the State of California."

14. V.

All grants and commissions shall be in the name and by the authority of the people of the State of California, sealed with the great seal of the State, signed by the Governor, and countersigned by the Secretary of State.

20. V.

The Governor shall not, during his term of office, be elected a Senator to the Senate of the United States.

COLORADO.**17. IV.**

The officers of the executive department, and of all public institutions of this State, shall,

General Provisions.

Sec. Art.

at least twenty days preceding each regular session of the General Assembly, make full and complete report of their actions to the Governor, who shall transmit the same to the General Assembly.

18. IV.

There shall be a seal of the State, which shall be kept by the Secretary of State, and shall be called the "Great Seal of the State of Colorado." The seal of the Territory of Colorado, as now used, shall be the seal of the State until otherwise provided by law.

CONNECTICUT.

11. IV.

All commissions shall be in the name and by authority of the State of Connecticut; shall be sealed with the State seal, signed by the Governor, and attested by the Secretary.

DELAWARE.

5. III.

No member of Congress, nor person holding any office under the United States or this State, shall exercise the office of Governor.

FLORIDA.

14. IV.

All grants and commissions shall be in the name and under the authority of the State of Florida, sealed with the great seal of the State, signed by the Governor, and countersigned by the Secretary of State.

17. IV.

The Governor and the administrative officers of the executive department shall constitute a board of commissioners of State institutions, which board shall have supervision of all matters connected with such institutions in such manner as shall be prescribed by law.

Sec. Art.

20. IV.

The Governor shall be assisted by administrative officers as follows: A Secretary of State, Attorney-General, Comptroller, Treasurer, Superintendent of Public Instruction, and Commissioner of Agriculture, who shall be elected at the same time as the Governor, and shall hold their offices for the same term: Provided, That the first election of such officers shall be had at the time of voting for Governor, A. D. 1888.

28. IV.

The administrative officers of the executive department shall be installed on the same day as the Governor.

GEORGIA.

V.

Par. I. The great seal of the State shall be deposited in the office of the Secretary of State, and shall not be affixed to any instrument of writing except by order of the Governor, or General Assembly, and that now in use shall be the great seal of the State until otherwise provided by law.

IDAHO.

15. IV.

There shall be a seal of this State, which shall be kept by the Secretary of State, and used by him officially, and shall be called "The Great Seal of the State of Idaho." The seal of the Territory of Idaho, as now used, shall be the seal of the State until otherwise provided by law.

16. IV.

All grants and permissions shall be in the name and by the authority of the State of Idaho, sealed with the great seal of the State, signed by the Gov-

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ernor, and countersigned by the Secretary of State.

ILLINOIS.**15. V.**

The Governor and all civil officers of the State shall be liable to impeachment for any misdemeanor in office.

INDIANA.**8. V.**

No member of Congress, or person holding any office under the United States, or under this State, shall fill the office of Governor or Lieutenant-Governor.

24. V.

Neither the Governor nor Lieutenant-Governor shall be eligible to any other office during the term for which he shall have been elected.

IOWA.**14. IV.**

No person shall, while holding any office under the authority of the United States, or this State, execute the office of Governor, or Lieutenant-Governor, except as hereinafter expressly provided

20. IV.

There shall be a seal of this State, which shall be kept by the Governor, and used by him officially, and shall be called the Great Seal of the State of Iowa.

21. IV.

All grants and commissions shall be in the name and by the authority of the people of the State of Iowa, sealed with the great seal of the State, signed by the Governor, and countersigned by the Secretary of State.

KANSAS.**8. I.**

There shall be a seal of the State,

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which shall be kept by the Governor, and used by him officially, and which shall be the Great Seal of Kansas.

9. I.

All commissions shall be issued in the name of the State of Kansas, signed by the Governor, countersigned by the Secretary of State, and sealed with the great seal.

10. I.

No member of Congress, or officer of the State, or of the United States, shall hold the office of Governor, except as herein provided.

KENTUCKY.**152.**

Except as otherwise provided in this Constitution, vacancies in all elective offices shall be filled by election or appointment, as follows: If the unexpired term will end at the next succeeding annual election, at which either city, town, county, district or State officers are to be elected, the office shall be filled by appointment for the remainder of the term. If the unexpired term will not end at the next succeeding annual election, at which either city, town, county, district or State officers are to be elected, and if three months intervene before said succeeding annual election at which either city, town, county, district or State officers are to be elected, the office shall be filled by appointment until said election, and then said vacancy shall be filled by election for the remainder of the term. If three months do not intervene between the happening of said vacancy and the next succeeding election at which city, town, county, district or State officers are to be elected, the office shall be filled by appointment until

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the second succeeding annual election at which city, town, county, district or State officers are to be elected, and then, if any part of the term remains unexpired, the office shall be filled by election until the regular time for the election of officers to fill said offices. Vacancies in all offices for the State at large or for districts larger than a county, shall be filled by appointment of the Governor; all other appointments shall be made as may be prescribed by law. No person shall ever be appointed a member of the General Assembly, but vacancies therein may be filled at a special election, in such manner as may be provided by law.

LOUISIANA.

Art. 61. The Governor shall enter on the discharge of his duties the first Monday next ensuing the announcement by the General Assembly of the result of the election for Governor, and shall continue in office until the Monday next succeeding the day that his successor shall have been declared duly elected and shall have taken the oath or affirmation required by this Constitution.

Art. 79. All commissions shall be in the name and by the authority of the State of Louisiana, and shall be sealed with the State seal, signed by the Governor and countersigned by the Secretary of State.

MAINE.

1. V.

There shall be a Council to consist of seven persons, citizens of the United States, and residents of this State, to advise the Governor in the executive

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part of government, whom the Governor shall have full power, at his discretion, to assemble; and he, with the Councillors, or a majority of them, may, from time to time, hold and keep a Council, for ordering and directing the affairs of State, according to law.

2. V.

The Councillors shall be chosen annually, on the first Wednesday of January, by joint ballot of the Senators and Representatives in convention; and vacancies, which shall afterwards happen, shall be filled in the same manner; but not more than one Councillor shall be elected from any district, prescribed for the election of Senators; and they shall be privileged from arrest in the same manner as Senators and Representatives.

3. V.

The resolutions and advice of Council shall be recorded in a register, and signed by the members agreeing thereto, which may be called for by either house of the Legislature; and any Councillor may enter his dissent to the resolution of the majority.

4. V.

No member of Congress, or of the Legislature of this State, nor any person holding any office under the United States (post-offices excepted), nor any civil officers under this State (Justices of the peace and notaries public excepted), shall be Councillors, And no Councillor shall be appointed to any office during the time for which he shall have been elected.

3. IX.

All commissions shall be in the name of the State, signed by the Governor, attested by the Secretary or his deputy, and have

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the seal of the State thereto affixed.

6. IX.

The tenure of all offices, which are not or shall not be otherwise provided for, shall be during the pleasure of the Governor and Council.

MASSACHUSETTS.

3.

And that there may be a due convention of Senators on the (last Wednesday in May) annually, the Governor with five of the council, for the time being, shall, as soon as may be, examine the returned copies of such records; and fourteen days before the said day he shall issue his summons to such persons as shall appear to be chosen by (a majority of) voters, to attend on that day, and take their seats accordingly: Provided, Nevertheless, that for the first year the said returned copies shall be examined by the president and five of the council of the former constitution of government; and the said president shall, in like manner, issue his summons to the persons so elected, that they may take their seats as aforesaid. (Time changed to first Wednesday in January by amendments, Art. X.)

1.

There shall be a Council for advising the Governor in the executive part of the government, to consist of (nine) persons besides the Lieutenant-Governor, whom the Governor, for the time being, shall have full power and authority, from time to time, at his discretion, to assemble and call together; and the Governor, with the said Councillors, or five of them at least, shall and may, from time to time, hold and keep a Council, for the ordering

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and directing the affairs of the Commonwealth, according to the laws of the land. (See amendments, Art. XVI.)

2.

(Nine Councillors shall be annually chosen from among the persons returned for Councillors and Senators, on the last Wednesday in May, by the joint ballot of the Senators and Representatives assembled in one room; and in case there shall not be found upon the first choice, the whole number of nine persons who will accept a seat in the Council, the deficiency shall be made up by the electors aforesaid from among the people at large; and the number of Senators left shall constitute the Senate for the year. The seats of the persons thus elected from the Senate and accepting the trust, shall be vacated in the Senate.) (Modified by amendments, Arts. X and XIII. Superseded by amendments, Art. XVI.)

3.

The Councillors, in the civil arrangements of the Commonwealth, shall have rank next after the Lieutenant-Governor.

5.

The resolutions and advice of the Council shall be recorded in a register, and signed by the members present; and this record may be called for at any time by either house of the Legislature; and any member of the Council may insert his opinion, contrary to the resolution of the majority.

4.

All commissions shall be in the name of the Commonwealth of Massachusetts, signed by the Governor and attested by the Secretary or his deputy, and have the great seal of the Commonwealth affixed thereto.

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Art. I. If any bill or resolve shall be objected to, and not approved by the Governor; and if the General Court shall adjourn within five days after the same shall have been laid before the Governor for his approbation, and thereby prevent his returning it with his objections, as provided by the Constitution, such bill or resolve shall not become a law, nor have force as such.

Art. XVI. Eight Councilors shall be annually chosen by the inhabitants of this Commonwealth, qualified to vote for Governor. The election of Councilors shall be determined by the rule that is required for the election of Governor. The Legislature, at its first session after this amendment shall have been adopted, and at its first session after the next State census shall have been taken, and at its first session after each decennial State census thereafter, shall divide the Commonwealth into eight districts of contiguous territories, each containing a number of inhabitants as nearly equal as practicable, without dividing any town or ward of a city, and each entitled to elect one Councilor: Provided, however, that if, at any time, the Constitution shall provide for the division of the Commonwealth into forty Senatorial districts, then the Legislature shall so arrange the Councilor districts, that each district shall consist of five contiguous Senatorial districts, as they shall be from time to time established by the Legislature. No person shall be eligible to the office of Councilor who has not been an inhabitant of the Commonwealth for the term of five years im-

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mediately preceding his election. The day and manner of the election, the return of the votes, and the declaration of the said elections, shall be the same as are required in the election of Governor. (Whenever there shall be a failure to elect the full number of Councilors, the vacancies shall be filled in the same manner as is required by filling vacancies in the Senate; and vacancies occasioned by death, removal from the State, or otherwise, shall be filled in like manner, as soon as may be, after such vacancies shall have happened). And that there may be no delay in the organization of the government on the first Wednesday of January, the Governor, with at least five Councilors for the time being, shall, as soon as may be, examine the returned copies of the records for the election of Governor, Lieutenant-Governor and Councilors; and ten days before the said first Wednesday in January he shall issue his summons to such persons as appear to be chosen, to attend on that day to be qualified accordingly; and the secretary shall lay the returns before the Senate and House of Representatives on the said first Wednesday in January, to be by them examined; and in case of the election of either of said officers, the choice shall be by them declared and published; but in case there shall be no election of either of said officers, the Legislature shall proceed to fill such vacancies in the manner provided in the Constitution for the choice of such officers. (For new provisions as to vacancies, see amendments, Art. XXV.)

Art. XXV. In case of a vacancy

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In the Council, from a failure of election, or other cause, the Senate and House of Representatives shall, by concurrent vote, choose some eligible person from the people of the district wherein such vacancy occurs, to fill that office. If such vacancy shall happen when the Legislature is not in session, the Governor, with the advice and consent of the Council, may fill the same by appointment of some eligible person.

MICHIGAN.

15. V.

No member of Congress, nor any person holding office under the United States or this State, shall execute the office of Governor..

16. V.

No person elected Governor or Lieutenant-Governor shall be eligible to any office or appointment from the Legislature or either house thereof, during the time for which he was elected. All votes for either of them, for any such office, shall be void.

8.

All officers, civil and military, now holding any office or appointment, shall continue to hold their respective offices, unless removed by competent authority, until superseded under the laws now in force, or under this Constitution.

8.

All county officers, unless removed by competent authority, shall continue to hold their respective offices until the first day of January, in the year one thousand eight hundred and fifty-three. The laws now in force as to election, qualification and duties of township officers shall continue in force until the Legislature shall, in conformity to the provisions of this Constitution, pro-

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vide for the holding of elections to fill such offices, and prescribe the duties of such officer respectively.

MINNESOTA.

7. V.

The term of each of the executive officers named in this article shall commence on taking the oath of office on or after the first day of May, 1858, and continue until the first Monday of January, 1860, except the Auditor, who shall continue in office till the first Monday of January, 1861, and until their successors shall have been duly elected and qualified; and the same above mentioned time for qualification and entry upon the duties of their respective offices shall extend and apply to all other officers elected under the State Constitution, who have not already taken the oath of office and commenced the performance of their official duties.

4. XV.

There shall be a seal of the State, which shall be kept by the Secretary of State, and be used by him officially, and shall be called the Great Seal of the State of Minnesota, and shall be attached to all the official acts of the Governor (his signature to acts and resolves of the Legislature excepted) requiring authentication. The Legislature shall provide for an appropriate device and motto for said seal.

MISSISSIPPI.

126. V.

There shall be a seal of the State kept by the Governor, and used by him officially, and be called the Great Seal of the State of Mississippi.

127. V.

All commissions shall be in the

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name and by the authority of the State of Mississippi, be sealed with the great seal of State, and be signed by the Governor, and attested by the Secretary of State.

MISSOURI.

40. IV.

Whenever the Governor shall fail to perform his duty, as prescribed in section twelve, Article V. of this Constitution, in relation to any bill presented to him for his approval, the General Assembly may, by joint resolution, reciting the fact of such failure and the bill at length, direct the Secretary of State to enroll the same as an authentic act, in the archives of the State, and such enrollment shall have the same effect as an approval by the Governor: Provided, That such joint resolution shall not be submitted to the Governor for his approval.

20. V.

The Secretary of State shall be the custodian of the seal of the State, and authenticate therewith all official acts of the Governor, his approval of laws excepted. The said seal shall be called the "Great Seal of the State of Missouri," and the emblems and devices thereof, heretofore prescribed by law, shall not be subject to change.

MONTANA.

18. VII.

All grants and commissions shall be in the name and by the authority of the State of Montana, sealed with the great seal of the State, signed by the Governor, and countersigned by the Secretary of State.

NEBRASKA.

21. V.

An account shall be kept by the

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officers of the executive department, and of all the public institutions of the State, of all moneys received or disbursed by them severally from all sources, and for every service performed, and a semi-annual report thereof be made to the Governor, under oath, and any officer who makes a false report shall be guilty of perjury, and shall be punished accordingly.

22. V.

The officers of the executive department, and of all the public institutions of the State shall, at least ten days preceding each regular session of the Legislature, severally report to the Governor, who shall transmit such reports to the Legislature, together with the reports of the judges of the Supreme Court, of defects in the Constitution and laws, and the Governor, or either house of the Legislature, may, at any time, require information in writing, under oath from the officers of the executive department, and all officers and managers of State institutions, upon any subject relating to the condition, management and expenses of their respective offices.

NEVADA.

12. V.

No person shall, while holding any office under the United States government, hold the office of Governor, except as herein expressly provided.

15. V.

There shall be a seal of this State, which shall be kept by the Governor, and used by him officially, and shall be called the "Great Seal of the State of Nevada."

16. V.

All grants and commissions shall be in the name and by the au-

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thority of the State of Nevada, sealed with the seal of the State, signed by the Governor and countersigned by the Secretary of State.

NEW HAMPSHIRE.**60.**

There shall be biennially elected by ballot five councillors, for advising the Governor in the executive part of government. The freeholders and other inhabitants in each county, qualified to vote for Senators, shall, some time in the month of November, give in their votes for one councillor, which votes shall be received, sorted, counted, certified, and returned to the Secretary's office, in the same manner as the votes for Senators, to be by the Secretary laid before the Senate and House of Representatives on the first Wednesday of (January.)

61.

And the person having a majority of votes in any county shall be considered as duly elected a councillor; but if no person shall have a majority of the votes in any county, the Senate and House of Representatives shall take the names of the two persons who have the highest number of votes in each county and not elected, and, out of those two, shall elect, by joint ballot, the councillor wanted for such county; and the qualifications for councillors shall be the same as for Senator.

12. III.**OHIO.**

There shall be a seal of the State, which shall be kept by the Governor, and used by him officially; and shall be called "The Great Seal of the State of Ohio."

13. III.

All grants and commissions shall

Sec. Art.

be issued in the name and by the authority of the State of Ohio; sealed with the great seal, signed by the Governor, and countersigned by the Secretary of State.

14. III.

No member of Congress, or other person holding office under the authority of this State, or of the United States, shall execute the office of Governor, except as herein provided.

7.

All county and township officers and justices of the peace, in office on the first day of September, one thousand eight hundred and fifty-one, shall continue in office until their terms expire, respectively.

OREGON.**3. V.**

No member of Congress, or person holding any office under the United States, or under this State, or under any other power, shall fill the office of Governor; except as may be otherwise provided in this Constitution.

18. V.

All commissions shall issue in the name of the State, shall be signed by the Governor, sealed with the seal of the State, and attested by the Secretary of State.

3. VI.

There shall be a seal of the State, kept by the Secretary of State for official purposes, which shall be called "The Seal of the State of Oregon."

PENNSYLVANIA.**17. IV.**

The Chief Justice of the Supreme Court shall preside upon trial of any contested election of Governor or Lieutenant-Governor and decide questions regarding the admissibility of evidence, and shall, upon request of the

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committee, pronounce his opinion upon other questions of law involved in the trial. The Governor and Lieutenant-Governor shall exercise the duties of their respective offices until their successors shall be duly qualified.

22. IV.

The present Great Seal of Pennsylvania shall be the seal of the State. All commissions shall be in the name and by the authority of the Commonwealth of Pennsylvania, and be sealed with the State seal and signed by the Governor.

SOUTH CAROLINA.

19. III.

All grants and commissions shall be issued in the name and by the authority of the State of South Carolina, sealed with the great seal, signed by the Governor, and countersigned by the Secretary of State.

TENNESSEE.

13. III.

No member of Congress, or person holding any office under the United States, or this State, shall execute the office of Governor.

16. III.

All grants and commissions shall be in the name and by the authority of the State of Tennessee, be sealed with the State seal and signed by the Governor.

TEXAS.

6. IV.

During the time he holds the office of Governor he shall not hold any other office, civil, military or corporate; nor shall he practice any profession, and receive compensation, reward, fee, or the promise thereof, for the same; nor receive any salary, reward or compensation, or the promise thereof, from any per-

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son or corporation, for any service rendered or performed during the time he is Governor, or to be thereafter rendered or performed.

12. IV.

All vacancies in State or district offices, except members of the Legislature, shall be filled, unless otherwise provided by law, by appointment of the Governor, which appointment, if made during its session, shall be with the advice and consent of two-thirds of the Senate present. If made during the recess of the Senate, the said appointee, or some other person to fill such vacancy, shall be nominated to the Senate during the first ten days of its session. If rejected, said office shall immediately become vacant, and the Governor shall without delay, make further nominations, until a confirmation takes place. But should there be no confirmation during the session of the Senate, the Governor shall not thereafter appoint any person to fill such vacancy who has been rejected by the Senate; but may appoint some other person to fill the vacancy until the next session of the Senate, or until the regular election to said office, should it sooner occur. Appointments to vacancies in offices elective by the people shall only continue until the first general election thereafter.

18. IV.

The Lieutenant-Governor or President of the Senate succeeding to the office of Governor, shall, during the entire term to which he may succeed, be under all the restrictions and inhibitions imposed in this Constitution on the Governor.

19. IV.

There shall be a seal of the State,

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which shall be kept by the Secretary of State, and used by him officially under the direction of the Governor. The seal of the State shall be a star of five points, encircled by olive and live oak branches, and the words "The State of Texas."

20. IV.

All commissions shall be in the name and by the authority of the State of Texas, sealed with the State seal, signed by the Governor, and attested by the Secretary of State.

VERMONT.

23.

All commissions shall be in the name of the freemen of the State of Vermont, sealed with the State seal, signed by the Governor, and, in his absence, the Lieutenant-Governor, and attested by the Secretary; which seal shall be kept by the Governor.

43.

In order that the freedom of this Commonwealth may be preserved inviolate forever, there shall be chosen, by ballot, by the freemen of this State, on the last Wednesday in March, in the year one thousand seven hundred and seventy-nine, and on the last Wednesday in March in every seven years thereafter, thirteen persons, who shall be chosen in the same manner the Council is chosen, except that they shall not be out of the Council or General Assembly, to be called the Council of Censors, who shall meet together on the first Wednesday of June next ensuing their election, the majority of whom shall be a quorum in every case, except as to calling a convention, in which two-thirds of the whole number elected shall agree; and

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whose duty it shall be to inquire whether the Constitution has been preserved inviolate in every part during the last septenary (including the year of their service); and whether the legislative and executive branches of government have performed their duty as guardians of the people, or assumed to themselves or exercised other or greater powers than they are entitled to by the Constitution. They are also to inquire whether the public taxes have been justly laid and collected in all parts of this Commonwealth—in what manner the public moneys have been disposed of—and whether the laws have been duly executed. For these purposes they shall have power to send for persons, papers and records—they shall have authority to pass public censures, to order impeachments, and to recommend to the Legislature the repealing such laws as shall appear to them to have been passed contrary to the principles of the Constitution. These powers they shall continue to have for and during the space of one year from the day of their election, and no longer. The said Council of Censors shall also have power to call a convention, to meet within two years after their sitting, if there appears to them an absolute necessity of amending any article of this Constitution, which may be defective—explaining such as may be thought not clearly expressed—and of adding such as are necessary for the preservation of the rights and happiness of the people; but the articles to be amended, and the amendments proposed, and such articles as are proposed to be

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added or abolished, shall be promulgated at least six months before the day appointed for the election of such convention, for the previous consideration of the people, that they may have an opportunity of instructing their delegates on the subject.

VIRGINIA.

7. II.

Commissions and grants shall run in the name of the Commonwealth of Virginia, and be attested by the Governor, with the seal of the Commonwealth annexed.

WASHINGTON.

1. XVIII.

The seal of the State of Washington shall be a seal encircled with the words: "The Seal of

Sec. Art.

the State of Washington," with the vignette of General George Washington as the central figure, and beneath the vignette the figures "1889."

18. III.

There shall be a seal of the State, kept by the Secretary of State for official purposes, which shall be called "The Seal of the State of Washington."

WEST VIRGINIA.

7. II.

The present seal of the State, with its motto, "Montani Semper Liberi," shall be the great seal of the State of West Virginia, and shall be kept by the Secretary of State, to be used by him officially, as directed by law.

CHANCELLOR AND SUPREME COURT—MASTERS IN CHANCERY.

Sec. Art.

DELAWARE.

5. V.

The chancellor shall hold the Court of Chancery. This court shall have all the jurisdiction and powers vested by the laws of this State in the Court of Chancery.

13. VI.

Until the General Assembly shall otherwise provide, the chancellor

Sec. Art.

shall exercise all the powers which any law of this State vests in the chancellor, besides the general powers of the Court of Chancery; and the chief justice and associate judges shall each singly exercise all the powers which any law of this State vests in the judges singly of the Supreme Court or Court of Common Pleas.

VACANCY IN OFFICE OF CHANCELLOR, ETC.

Sec. Art.

ALABAMA.**17. VI.**

Vacancies in the office of any of the judges or chancellors of this State shall be filled by appointment by the Governor, and such appointee shall hold his office for the unexpired term and until his successor is elected or appointed and qualified.

NEBRASKA.**21. VI.**

In case the office of any judge of the Supreme Court, or of any District Court, shall become vacant before the expiration of the regular term for which he was elected, the vacancy shall be filled by appointment by the Governor until a successor shall be elected and qualified, and such successor shall be elected for the unexpired term at the first general election that occurs more than thirty days after the vacancy shall have happened. Vacancies in all other elective offices provided for in this article shall

Sec. Art.

be filled by election, but when the unexpired term does not exceed one year the vacancy may be filled by appointment, in such manner as the Legislature may provide.

MISSISSIPPI.**177. VI.**

The Governor shall have power to fill any vacancy which may happen during the recess of the Senate, in the office of judge or chancellor, by making a temporary appointment of an incumbent, which shall expire at the end of the next session of the Senate, unless a successor shall be sooner appointed, and confirmed by the Senate. When a temporary appointment of a judge or chancellor has been made during the recess of the Senate, the Governor shall have no power to remove the person or appointee, nor power to withhold his name from the Senate for their action.

State Officers.

STATE OFFICERS.

Sec. Art.

KANSAS.

3.

The Governor, Secretary and Judges, and all other officers, both civil and military, under the Territorial government,

Sec. Art.

shall continue in the exercise of the duties of their respective departments until the said officers are superseded under the authority of this Constitution.

Offices Abolished.

[OFFICES ABOLISHED.]

Sec. Art.

MARYLAND.**59. III.**

The office of "State Pension Commissioner" is hereby abolished; and the Legislature shall pass no law creating such office, or establishing any general pension within this State.

Sec. Art.

WISCONSIN.**19. VII.**

The testimony in causes in equity shall be taken in like manner as in cases at law; and the office of master in chancery is hereby prohibited.

Supreme Court.

SUPREME COURT.**ARTICLE VI.**

1 Section 1. The Supreme Court is continued with general
2 jurisdiction in law and equity, subject to such appellate juris-
3 diction of the Court of Appeals as now is or may be prescribed
4 by law not inconsistent with this article. The existing judicial
5 districts of the State are continued until changed as herein-
6 after provided. The Supreme Court shall consist of the
7 justices now in office, and of the judges transferred thereto
8 by the fifth section of this article, all of whom shall continue
9 to be justices of the Supreme Court during their respective
10 terms, and of twelve additional justices who shall reside in
11 and be chosen by the electors of the several existing judicial
12 districts, three in the first district, three in the second, and one
13 in each of the other districts; and of their successors. The
14 successors of said justices shall be chosen by the electors of
15 their respective judicial districts. The Legislature may alter
16 the judicial districts once after every enumeration under the
17 Constitution, of the inhabitants of the State, and thereupon
18 reapportion the justices to be thereafter elected in the districts
19 so altered.

Supreme Court.

Sec. Art.

ALABAMA.**2. VI.**

Except in cases otherwise directed in this Constitution, the Supreme Court shall have appellate jurisdiction only, which shall be co-extensive with the State, under such restrictions and regulations, not repugnant to this Constitution, as may be from time to time prescribed by law: Provided, That said court shall have the power to issue writs of injunction, habeas corpus, quo warranto, and such other remedial and original writs as may be necessary to give it a general superintendence and control of superior jurisdiction.

3. VI.

The Supreme Court shall be held at the seat of government, but if that shall have become dangerous from any cause, it may adjourn to a different place.

11. VI.

The Supreme Court shall consist of one chief justice and such number of associate justices as may be prescribed by law.

14. VI.

The judges of the Supreme Court, Circuit Courts, chancellors, and the judges of the City Courts, shall have been citizens of the United States and of this State five years next preceding their election or appointment, and shall not be less than twenty-five years of age, and learned in the law.

16. VI.

The judges of the Supreme Court shall, by virtue of their offices, be conservators of the peace throughout the State; the judges of the Circuit Courts within their respective circuits, and the judges of the inferior courts within their respective jurisdic-

Sec. Art.

tions, shall, in like manner, be conservators of the peace.

2. VII.

The chancellors, judges of the Circuit Courts, judges of the Probate Courts, solicitors of the Circuits and judges of the inferior courts, from which an appeal may be taken directly to the Supreme Court, may be removed from office for any of the causes specified in the preceding section, by the Supreme Court, under such regulations as may be prescribed by law.

ARKANSAS.**2. VII.**

The Supreme Court shall be composed of three judges, one of whom shall be styled chief justice, and elected as such; any two of whom shall constitute a quorum, and the concurrence of two judges shall, in every case, be necessary to a decision.

3. VII.

When the population of the State shall amount to one million, the General Assembly may, if deemed necessary, increase the number of judges of the Supreme Court to five; and on such increase, a majority of judges shall be necessary to make a quorum or a decision.

4. VII.

The Supreme Court, except in cases otherwise provided by this Constitution, shall have appellate jurisdiction only, which shall be co-extensive with the State, under such restrictions as may from time to time be prescribed by law. It shall have a general superintending control over all inferior courts of law and equity; and, in aid of its appellate and supervisory jurisdiction, it shall have power to issue writs of error and supersedeas, certio-

Supreme Court.

Sec. Art.

rari, habeas corpus, prohibition, mandamus and quo warranto and other remedial writs, and to hear and determine the same. Its judges shall be conservators of the peace throughout the State, and shall severally have power to issue any of the aforesaid writs.

5. VII.

In the exercise of the original jurisdiction the Supreme Court shall have power to issue writs of quo warranto to the circuit judges and chancellors when created, and to officers of political corporations when the question involved is the legal existence of such corporations.

6. VII.

A judge of the Supreme Court shall be at least thirty years of age, of good moral character, and learned in the law; a citizen of the United States and two years a resident of the State, and who has been a practicing lawyer eight years, or whose service upon the bench of any court of record, when added to the time he may have practiced law, shall be equal to eight years. The judges of the Supreme Court shall be elected by the qualified electors of the State, and shall hold their offices during the term of eight years from the date of their commission; but at the first meeting of the court after the first election under this Constitution the judges shall by lot divide themselves into three classes, one of which shall hold his office for four, one for six and the other for eight years, after which each judge shall be elected for a full term of eight years. A record shall be made in the court of this classification.

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9. VII.

In case all or any of the judges of the Supreme Court shall be disqualified from presiding in any cause or causes the court or the disqualified judge shall certify the same to the Governor, who shall immediately commission the requisite number of men learned in the law to sit in the trial and determination of such causes.

25. VII.

The judges of the Supreme, Circuit or Chancery Courts shall not, during their continuance in office, practice law or appear as counsel in any court, State or federal, within this State.

CALIFORNIA.

4. VI.

The Supreme Court shall have appellate jurisdiction in all cases in equity, except such as arise in Justices' Courts; also, in all cases at law which involve the title or possession of real estate, or the legality of any tax, impost, assessment, toll, or municipal fine, or in which the demand, exclusive of interest, or the value of the property in controversy, amounts to three hundred dollars; also, in cases of forcible entry and detainer, and in proceedings in insolvency, and in actions to prevent or abate a nuisance, and in all such probate matters as may be provided by law; also, in all criminal cases prosecuted by indictment or information in a court of record on questions of law alone. The court shall also have power to issue writs of mandamus, certiorari, prohibition and habeas corpus, and all other writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of

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the justices shall have power to issue writs of habeas corpus to any part of the State, upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself, or the Supreme Court, or before any Superior Court in the State, or before any judge thereof.

12. VI.

The Supreme Court, the Superior Courts, and such other courts as the Legislature shall prescribe, shall be courts of record.

21. VI.

The justices shall appoint a reporter of the decisions of the Supreme Court, who shall hold his office and be removable at their pleasure. He shall receive an annual salary, not to exceed twenty-five hundred dollars, payable monthly.

23. VI.

No one shall be eligible to the office of justice of the Supreme Court, or to the office of judge of a Superior Court, unless he shall have been admitted to practice before the Supreme Court of the State.

COLORADO.

2. VI.

The Supreme Court, except as otherwise provided in this Constitution, shall have appellate jurisdiction only, which shall be co-extensive with the State, and shall have a general superintending control over all inferior courts, under such regulations and limitations as may be prescribed by law.

3. VI.

It shall have power to issue writs of habeas corpus, mandamus, quo warranto, certiorari, injunction, and other original and remedial writs, with au-

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thority to hear and determine the same.

5. VI.

The Supreme Court shall consist of three judges, a majority of whom shall be necessary to form a quorum or pronounce a decision.

8. VI.

The judges of the Supreme Court shall, immediately after the first election under this Constitution, be classified by lot, so that one shall hold his office for the term of three years, one for the term of six years, and one for the term of nine years. The lot shall be drawn by the judges, who shall for that purpose assemble at the seat of government, and shall cause the result thereof to be certified to the Secretary of the Territory, and filed in his office. The judge having the shortest term to serve, not holding his office by appointment or election to fill a vacancy, shall be the chief justice, and shall preside at all terms of the Supreme Court, and in his absence, the judge having in like manner the next shortest term to serve shall preside in his stead.

10. VI.

No person shall be eligible to the office of judge of the Supreme Court unless he be learned in law, be at least thirty years of age, and a citizen of the United States, nor unless he shall have resided in this State or Territory at least two years next preceding his election.

14. VI.

The General Assembly may, after the year 1880 (whenever two-thirds of the members of each house shall concur therein), but not oftener than once in six years, increase the number of

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the judicial districts and the judges thereof; such districts shall be formed of compact territory, and bounded by county lines; but such increase or change in the boundaries of a district shall not work the removal of any judge from his office during the term for which he shall have been elected or appointed.

20. VI.

Until the General Assembly shall provide by law for fixing the terms of the courts aforesaid, the judges of the Supreme and District Courts, respectively, shall fix the terms thereof.

27. VI.

The judges of courts of record inferior to the Supreme Court shall, on or before the first day in July in each year, report in writing to the judges of the Supreme Court such defects and omissions in the laws as their knowledge and experience may suggest, and the judges of the Supreme Court shall, on or before the first day of December of each year, report in writing to the Governor, to be by him transmitted to the General Assembly, together with his message, such defects and omissions in the Constitution and laws as they may find to exist, together with appropriate bills for curing the same.

FLORIDA.

2. V.

The Supreme Court shall consist of three Justices, who shall be elected by the qualified electors of the State at the time and places of voting for members of the Legislature, and shall hold their office for the term of six years, except those first elected, one of whom, to be designated

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by lot in such manner as they may determine, shall hold his office for two years, another to be designated in like manner for four years, and the third for six years, so that one shall be elected every two years after the first election. The chief justice shall be designated by lot by said justices, and shall be such during his term of office. The first election for said justices shall take place at the first election for members of the Legislature after the ratification of this Constitution, and their term of office shall begin on the first Tuesday after the first Monday in January after their election.

3. V.

No person shall ever be appointed or elected as a justice of the Supreme Court, or judge of a Circuit Court, or Criminal Court, that is not twenty-five years of age and an attorney-at-law.

4. V.

The majority of the justices of the Supreme Court shall constitute a quorum for the transaction of all business. The concurrence of two justices shall be necessary to a decision. The number of terms of the Supreme Court and the times of holding the same shall be regulated by law. All terms shall be held at the capital of the State.

5. V.

The Supreme Court shall have appellate jurisdiction in all cases at law and in equity originating in Circuit Courts, and of appeals from the Circuit Courts in cases arising before judges of the County Courts in matters pertaining to their probate jurisdiction and in the management of the estates of infants, and in cases of convic-

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tion of felony in the criminal courts, and in all criminal cases originating in the Circuit Courts. The court shall have the power to issue writs of mandamus, certiorari, prohibition, quo warranto, habeas corpus, and also all writs necessary or proper to the complete exercise of its jurisdiction. Each of the justices shall have power to issue writs of habeas corpus to any part of the State upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself or the Supreme Court, or any justice thereof, or before any Circuit judge.

6. V.

The Legislature shall have power to prescribe regulations for calling into the Supreme Court a judge of the Circuit Court, to hear and determine any matters pending before the court in the place of any justice thereof that shall be disqualified or disabled in such case from interest or other cause.

7. V.

The Supreme Court shall appoint a clerk, who shall have his office at the capitol, and shall be librarian of the Supreme Court library.

9. V.

The salary of the Justices of the Supreme Court shall be three thousand dollars a year. The salary of each Circuit Judge shall be two thousand five hundred dollars a year.

GEORGIA.

2. VI.

Par. I. The Supreme Court shall consist of a chief justice and two associate justices. A majority of the court shall constitute a quorum.

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2. VI.

Par. V. The Supreme Court shall have no original jurisdiction, but shall be a court alone for the trial and correction of errors from the Superior Courts, and from the City Courts of Atlanta and Savannah, and such other like court as may be hereafter established in other cities; and shall sit at the seat of government, at such times in each year as shall be prescribed by law, for the trial and determination of writs of error from said Superior and City Courts.

2. VI.

Par. VI. The Supreme Court shall dispose of every case at the first or second term after such writ of error is brought; and in case the plaintiff in error shall not be prepared at the first term to prosecute the case—unless prevented by providential cause—it shall be stricken from the docket, and the judgment below shall stand affirmed.

14. VI.

Par. I. No person shall be judge of the Supreme or Superior Courts, or Attorney-General, unless at the time of his election he shall have attained the age of thirty years, and shall have been a citizen of the State three years, and have practiced law for seven years; and no person shall be hereafter elected Solicitor-General unless, at the time of his election, he shall have attained twenty-five years of age, shall have been a citizen of the State for three years, and shall have practiced law for three years next preceding his election.

21. VI.

Par. I. The costs in the Supreme Court shall not exceed ten dol-

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lars, unless otherwise provided by law. Plaintiffs in error shall not be required to pay costs in said court when the usual pauper oath is filed in the court below.

IDAHO.

6. V.

The Supreme Court shall consist of three justices, a majority of whom shall be necessary to make a quorum or pronounce a decision. The justices of the Supreme Court shall be elected by the electors of the State at large. The terms of office of the justices of the Supreme Court, except as in this article otherwise provided, shall be six years. The justices of the Supreme Court shall, immediately after the first election under this Constitution, be selected by lot, so that one shall hold his office for the term of two years, one for the term of four years, and one for the term of six years. The lots shall be drawn by the justices of the Supreme Court, who shall, for that purpose, assemble at the seat of government, and they shall cause the result thereof to be certified to by the Secretary of State and filed in his office. The justice having the shortest term to serve, not holding his office by appointment or election to fill a vacancy, shall be the chief justice, and shall preside at all terms of the Supreme Court, and, in case of his absence, the justice having in like manner the next shortest term to serve shall preside in his stead.

9. V.

The Supreme Court shall have jurisdiction to review, upon appeal, any decision of the District Courts, or the judges thereof. The Supreme Court shall also have original juris-

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diction to issue writs of mandamus, certiorari, prohibition and habeas corpus, and all writs necessary or proper to the complete exercise of its appellate jurisdiction.

10. V.

The Supreme Court shall have original jurisdiction to hear claims against the State, but its decision shall be merely recommendatory; no process in the nature of execution shall issue thereon; they shall be reported to the next session of the Legislature for its action.

24. V.

Until otherwise provided by law, the judicial districts shall be five in number, and constituted of the following counties, viz.: First district, Shoshone and Kootenai; Second district, Latah, Nez Perce and Idaho; Third district, Washington, Ada, Boise and Owyhee; Fourth district, Cassia, Elmore, Logan and Alturas; Fifth district, Bear Lake, Bingham, Oneida, Lemhi and Custer.

ILLINOIS.

2. VI.

The Supreme Court shall consist of seven judges, and shall have original jurisdiction in cases relating to the revenue, in mandamus and habeas corpus, and appellate jurisdiction in all other cases. One of said judges shall be chief justice; four shall constitute a quorum, and the concurrence of four shall be necessary to every decision.

5. VI.

The present grand division shall be preserved, and be denominated Southern, Central and Northern, until otherwise provided by law. The State shall be divided into seven districts for the election of judges, and

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until otherwise provided by law they shall be as follows:

First district—The counties of St. Clair, Clinton, Washington, Jefferson, Wayne, Edwards, Wabash, White, Hamilton, Franklin, Perry, Randolph, Monroe, Jackson, Williamson, Saline, Gallatin, Hardin, Pope, Union, Johnson, Alexander, Pulaski and Massac.

Second district—The counties of Madison, Bond, Marion, Clay, Richland, Lawrence, Crawford, Jasper, Effingham, Fayette, Montgomery, Macoupin, Shelby, Cumberland, Clark, Greene, Jersey, Calhoun and Christian.

Third district—The counties of Sangamon, Macon, Logan, De Witt, Platt, Douglass, Champaign, Vermillion, McLean, Livingston, Ford, Iroquois, Coles, Edgar, Moultrie and Tazewell.

Fourth district—The counties of Fulton, McDonough, Hancock, Schuyler, Brown, Adams, Pike, Mason, Menard, Morgan, Cass and Scott.

Fifth district—The counties of Knox, Warren, Henderson, Mercer, Henry, Stark, Peoria, Marshall, Putnam, Bureau, La Salle, Grundy and Woodford.

Sixth district—The counties of Whiteside, Carroll, Jo, Daviess, Stephenson, Winnebago, Boone, McHenry, Kane, Kendall, De Kalb, Lee, Ogle and Rock Island.

Seventh district—The counties of Lake, Cook, Will, Kankakee and DuPage.

The boundaries of the districts may be changed at the session of the General Assembly next preceding the election for judges therein, and at no other time; but whenever such alterations shall be made the same shall be upon the rule of equality of population, as near as county boundaries will allow, and the dis-

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tricts shall be composed of contiguous counties, in as nearly compact form as circumstances will permit. The alteration of the district shall not affect the tenure of office of any judge.

9. VI.

The Supreme Court shall appoint one reporter of its decisions, who shall hold his office for six years, subject to removal by the court.

11. VI.

After the year of our Lord one thousand eight hundred and seventy-four inferior appellate courts, of uniform organization and jurisdiction, may be created in districts formed for that purpose, to which such appeals and writs of error as the General Assembly may provide, may be prosecuted from Circuit and other courts, and from which appeals and writs of error shall lie to the Supreme Court, in all criminal cases, and cases in which a franchise, or freehold, or the validity of a statute is involved, and in such other cases as may be provided by law. Such appellate courts shall be held by such number of judges of the Circuit Courts, and at such times and places, and in such manner as may be provided by law; but no judge shall sit in review upon cases decided by him; nor shall said judges receive any additional compensation for such services.

24. VI.

The judge having the shortest unexpired term shall be chief justice of the court of which he is judge. In case there are two or more whose term expire at the same time, it may be determined by lot which shall be chief justice. Any judge of either of said courts shall have

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all the powers of a circuit judge, and may hold the court of which he is a member. Each of them may hold a different branch thereof at the same time.

31. VI.

All judges of courts of record, inferior to the Supreme Court, shall, on or before the first day of June of each year, report in writing to the judges of the Supreme Court such defects and omissions in the laws as their experience may suggest; and the judges of the Supreme Court shall, on or before the first day of January of each year, report in writing to the Governor such defects and omissions in the Constitution and laws as they may find to exist, together with appropriate forms of bills to cure such defects and omissions in the laws. And the judges of the several Circuit Courts shall report to the next General Assembly the number of days they have held court in the several counties composing their respective circuits, the preceding two years.

INDIANA.

2. VII.

The Supreme Court shall consist of not less than three, nor more than five judges; a majority of whom shall form a quorum. They shall hold their offices for six years, if they so long behave well.

3. VII.

The State shall be divided into as many districts as there are judges of the Supreme Court, and such districts shall be formed of contiguous territory, as nearly equal in population as, without dividing a county, the same can be made. One of

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said judges shall be elected from each district, and reside therein; but said judge shall be elected by the electors of the State at large.

4. VII.

The Supreme Court shall have jurisdiction, co-extensive with the limits of the State, in appeals and writs of error, under such regulations and restrictions as may be prescribed by law. It shall also have such original jurisdiction as the General Assembly may confer.

5. VII.

The Supreme Court shall, upon the decision of every case, give a statement in writing of each question arising in the record of such case, and the decision of the court thereon.

IOWA.

2. V.

The Supreme Court shall consist of three judges, two of whom shall constitute a quorum to hold court.

4. V.

The Supreme Court shall have appellate jurisdiction only in cases in chancery, and shall constitute a court for the correction of errors at law, under such restrictions as the General Assembly may, by law, prescribe; and shall have power to issue all writs and process necessary to secure justice to parties, and exercise a supervisory control over all inferior judicial tribunals throughout the State.

10. V.

The State shall be divided into eleven judicial districts; and after the year eighteen hundred and sixty, the General Assembly may reorganize the judicial districts and increase or diminish the number of dis-

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tricts, or the number of judges of the said court, and may increase the number of judges of the Supreme Court; but such increase or diminution shall not be more than one district, or one judge of either court, at any one session; and no reorganization of the district, or diminution of the number of judges, shall have the effect of removing a judge from office. Such reorganization of the districts, or any change in the boundaries thereof, or increase or diminution of the number of judges, shall take place every four years thereafter, if necessary, and at no other time.

(Amendment.) At any regular session of the General Assembly, the State may be divided into the necessary judicial districts for District Court purposes, or the said districts may be reorganized and the number of the districts and the judges of said courts increased or diminished; but no reorganization of the districts or diminution of the judges shall have the effect of removing a judge from office.

(The foregoing amendment was adopted at the general election in 1884.)

KANSAS.**2. III.**

The Supreme Court shall consist of one chief justice and two associate justices (a majority of whom shall constitute a quorum), who shall be elected by the electors of the State at large, and whose term of office, after the first, shall be six years. At the first election, a chief justice shall be chosen for six years, one associate justice for four years, and one for two years.

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3. III.

The Supreme Court shall have original jurisdiction in proceedings in quo warranto, mandamus and habeas corpus; and such appellate jurisdiction as may be provided by law. It shall hold one term each year at the seat of government and such other terms at such places as may be provided by law, and its jurisdiction shall be co-extensive with the State.

14. III.

Provision may be made by law for the increase of the number of judicial districts whenever two-thirds of the members of each house shall concur. Such districts shall be formed of compact territory, and bounded by county lines, and such increase shall not vacate the office of any judge.

KENTUCKY.**134.**

The judicial districts of the State shall not be changed, except at the first session after an enumeration, unless upon the establishment of a new district.

LOUISIANA.

Art. 81. The Supreme Court, except in cases hereinafter provided, shall have appellate jurisdiction only, which jurisdiction shall extend to all cases when the matter in dispute, or the fund to be distributed, whatever may be the amount therein claimed, shall exceed one thousand dollars, exclusive of interest; to suits for divorce and separation from bed and board, and to all cases in which the constitutionality or legality of any tax, toll or impost whatever, or of any fine, forfeiture or penalty imposed by a municipal corporation shall

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be in contestation, whatever may be the amount thereof, and in such cases the appeal on the law and the fact shall be directly from the court in which the case originated to the Supreme Court; and the criminal cases on questions of law alone, whenever the punishment of death or imprisonment at hard labor may be inflicted or a fine exceeding three hundred dollars (\$300) is actually imposed.

82.

The Supreme Court shall be composed of one chief justice and four associate justices, a majority of whom shall constitute a quorum. The chief justice and associate justices shall each receive a salary of five thousand dollars (\$5,000) per annum, payable monthly on their own warrants. They shall be appointed by the Governor, by and with the advice and consent of the Senate. The first Supreme Court to be organized under this Constitution shall be appointed as follows: The chief justice for the term of twelve years; one associate justice for the term of ten years; one for the term of eight years; one for the term of six years; one for the term of four years; and the Governor shall designate in the commission of each the term for which such judge is appointed. In case of death, resignation or removal from office of any of said judges the vacancy shall be filled by appointment for the unexpired term of such judge, and upon the expiration of the term of any of said judges the office shall be filled by appointment for a term of twelve years. They shall be citizens of the

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United States and of the State, over thirty-five years of age, learned in the law, and shall have practiced law in this State for ten years preceding their appointment.

83.

The State shall be divided into four Supreme Court districts, and the Supreme Court shall always be composed of judges appointed from said districts.

The parishes of Orleans, St. John the Baptist, St. Charles, St. Bernard, Plaquemines and Jefferson shall compose the first district, from which two judges shall be appointed.

The parishes of Caddo, Bossier, Webster, Bienville, Claiborne, Union, Lincoln, Jackson, Caldwell, Ouachita, Morehouse, Richland, Franklin, West Carroll, East Carroll, Madison, Tensas and Catahoula shall compose the second district, from which one judge shall be appointed.

The parishes of De Soto, Red River, Winn, Grant, Natchitoches, Sabine, Vernon, Calcasieu, Cameron, Rapides, Avoyelles, Concordia, Pointe Coupee, West Baton Rouge, Iberville, St. Landry, Lafayette and Vermillion shall compose the third district, from which one judge shall be appointed.

And the parishes of St. Martin, Iberia, St. Mary, Terrebonne, Lafourche, Assumption, St. James, Ascension, East Baton Rouge, East Feliciana, West Feliciana, St. Helena, Livingston, Tangipahoa, St. Tammany and Washington shall compose the fourth district, from which one judge shall be appointed.

Art. 84. The Supreme Court shall hold its sessions in the city of New Orleans from the first

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Monday in the month of November to the end of the month of May in each and every year. The General Assembly shall have power to fix the sessions elsewhere during the rest of the year. Until otherwise provided, the sessions shall be held as heretofore. They shall appoint their own clerks and remove them at pleasure.

Art 85. No judgment shall be rendered by the Supreme Court without the concurrence of three judges. Whenever three members cannot concur, in consequence of the recusation of any member or members of the court, the judges not recused shall have authority to call upon any judge or judges of the District Courts, whose duty it shall be, when so called upon, to sit in the place of the judge or judges recused, and to aid in the determination of the case.

Art. 88. There shall be a reporter of the decisions of the Supreme Court, who shall report in full all cases which he may be required to report by law or by the court. He shall publish in the reports the title, numbers and head-notes of all cases decided, whether reported in full or not.

In all cases reported in full he shall make a brief statement of the principal points presented and authorities cited by counsel.

He shall be appointed by a majority of the court, and hold his office and be removable at their pleasure.

His salary shall be fixed by the court, and shall not exceed fifteen hundred dollars per annum, payable monthly on his own warrant.

Art. 89. The Supreme Court and

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each of the judges thereof shall have power to issue writs of habeas corpus at the instance of all persons in actual custody in cases where it may have appellate jurisdiction.

Art. 90. The Supreme Court shall have control and general supervision over all inferior courts. They shall have power to issue writs of certiorari, prohibition, mandamus, quo warranto and other remedial writs.

Art. 91. The General Assembly shall provide for appeals from the District Courts to the Supreme Court upon questions of law alone, when the party or parties aggrieved desire only a review of the law.

Art. 92. Except as herein provided, no duties or functions shall ever be attached by law to the Supreme Court, Courts of Appeal or District Courts, or the several judges thereof, but such as are judicial; and the said judges are prohibited from receiving any fees of office or other compensation than their salaries for any official duties performed by them. No judicial powers, except as committing magistrates in criminal cases, shall be conferred on any officers other than those mentioned in this title, except such as may be necessary in towns and cities, and the judicial powers of such officers shall not extend further than the cognizance of cases arising under the police regulations of towns and cities in the State.

Art. 107. The State shall be divided into not less than twenty nor more than thirty judicial districts, the parish of Orleans excepted.

Art. 108. Until otherwise provided by law there shall be twenty-six districts.

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The parish of Caddo shall compose the first district.

The parishes of Bossier, Webster and Bienville shall compose the second district.

The parishes of Claiborne, Union and Lincoln shall compose the third district.

The parishes of Jackson, Winn and Caldwell shall compose the fourth district.

The parishes of Ouachita and Richland shall compose the fifth district.

The parishes of Morehouse and West Carroll shall compose the sixth district.

The parishes of Catahoula and Franklin shall compose the seventh district.

The parishes of Madison and East Carroll shall compose the eighth district.

The parishes of Concordia and Tensas shall compose the ninth district.

The parishes of De Soto and Red River shall compose the tenth district.

The parishes of Natchitoches and Sabine shall compose the eleventh district.

The parishes of Rapides, Grant and Avoyelles shall compose the twelfth district.

The parish of St. Landry shall compose the thirteenth district.

The parishes of Vernon, Calcasieu and Cameron shall compose the fourteenth district.

The parishes of Pointe Coupee and West Feliciana shall compose the fifteenth district.

The parishes of East Feliciana and St. Helena shall compose the sixteenth district.

The parish of East Baton Rouge shall compose the seventeenth district.

The parishes of Tangipahoa, Livingston, St. Tammany and

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Washington shall compose the eighteenth district.

The parishes of St. Mary and Terrebonne shall compose the nineteenth district.

The parishes of Lafourche and Assumption shall compose the twentieth district.

The parishes of St. Martin and Iberia shall compose the twenty-first district.

The parishes of Ascension and St. James shall compose the twenty-second district.

The parishes of West Baton Rouge and Iberville shall compose the twenty-third district.

The parishes of Plaquemines and St. Bernard shall compose the twenty-fourth district.

The parishes of Lafayette and Vermillion shall compose the twenty-fifth district.

And the parishes of Jefferson, St. Charles and St. John the Baptist shall compose the twenty-sixth district.

MAINE.

3. VI.

They shall be obliged to give their opinion upon important questions of law, and upon solemn occasions, when required by the Governor, Council, Senate or House of Representatives.

MARYLAND.

19. IV.

The State shall be divided into eight judicial circuits in manner following, viz.: The counties of Worcester, Somerset, Dorchester and Wicomico shall constitute the first circuit; the counties of Caroline, Talbot, Queen Anne's, Kent and Cecil, the second; the counties of Baltimore and Hartford, the third; the counties of Allegany, Washington and Garrett, the fourth; the counties of Carroll,

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Howard and Anne Arundel, the fifth; the counties of Montgomery and Frederick, the sixth; the counties of Prince George's, Charles, Calvert and St. Mary's, the seventh; and Baltimore city, the eighth.

MASSACHUSETTS.

29.

It is essentially to the preservation of the rights of every individual, his life, liberty, property and character that there be an impartial interpretation of the laws and administration of justice. It is the right of every citizen to be tried by judges as free, impartial and independent as the lot of humanity will admit. It is, therefore, not only the best policy, but for the security of the rights of the people, and of every citizen, that the judges of the Supreme Judicial Court should hold their offices as long as they behave themselves well; and that they should have honorable salaries ascertained and established by standing laws.

MICHIGAN.

2. VI.

For the term of six years and thereafter until the Legislature otherwise provide, the judges of the several Circuit Courts shall be judges of the Supreme Court, four of whom shall constitute a quorum. A concurrence of three shall be necessary to a final decision. After six years the Legislature may provide by law for the organization of a Supreme Court, with the jurisdiction and powers prescribed in this Constitution, to consist of one chief justice and three associate justices, to be chosen by the electors of the State. Such Supreme Court, when so organ-

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ized, shall not be changed or discontinued by the Legislature for eight years thereafter. The judges thereof shall be so classified that but one of them shall go out of office at the same time. The term of office shall be eight years.

3. VI.

The Supreme Court shall have a general superintending control over all inferior courts, and shall have power to issue writs of error, habeas corpus, mandamus, quo warranto, procedendo, and other original and remedial writs, and to hear and determine the same. In all other cases it shall have appellate jurisdiction only.

8. VI.

The Circuit Court shall have original jurisdiction in all matters, civil and criminal, not excepted in this Constitution, and not prohibited by law; and appellate jurisdiction from all inferior courts and tribunals, and a supervisory control of the same. They shall also have power to issue writs of habeas corpus, mandamus, injunction, quo warranto, certiorari, and other writs necessary to carry into effect their orders, judgments and decrees, and give them a general control over inferior courts and tribunals within their respective jurisdictions.

10. VI.

The Supreme Court may appoint a reporter of its decisions. The decisions of the Supreme Court shall be in writing, and signed by the judges concurring therein. Any judge dissenting therefrom shall give the reasons for such dissent in writing, under his signature. All such opinions shall be filed in the office of the clerk of the

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Supreme Court. The judges of the Circuit Court, within their respective jurisdictions, may fill vacancies in the office of county clerk and of prosecuting attorney; but no judge of the Supreme Court, or Circuit Court, shall exercise any other power of appointment to public office.

15. VI.

The Supreme Court, the Circuit and Probate Courts of each county shall be courts of record, and shall each have a common seal.

19. VI.

Judges of the Supreme Court, circuit judges and justices of the peace shall be conservators of the peace within their respective jurisdictions.

10.

On the first day of January, in the year one thousand eight hundred and fifty-two, the jurisdiction of all suits and proceedings then pending in the present Supreme Court shall become vested in the Supreme Court established by this Constitution, and shall be finally adjudicated by the court where the same may be pending. The jurisdiction of all suits and proceedings at law and in equity then pending in the Circuit Courts and County Courts for the several counties shall become vested in the Circuit Courts of the said counties and District Courts for the Upper Peninsula.

MINNESOTA.

2. VI.

The Supreme Court shall consist of one chief justice and two associate justices, but the number of the associate justices may be increased to a number not exceeding four, by the Legislature,

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by a two-thirds vote, when it shall be deemed necessary. It shall have original jurisdiction in such remedial cases as may be prescribed by law, and appellate jurisdiction in all cases, both in law and equity, but there shall be no trial by jury in said court. It shall hold one or more terms in each year, as the Legislature may direct, at the seat of government, and the Legislature may provide, by a two-thirds vote, that one term in each year shall be held in each or any judicial district. It shall be the duty of such court to appoint a reporter of its decisions. There shall be chosen, by the qualified electors of the State, one clerk of the Supreme Court, who shall hold his office for the term of four years, and until his successor is duly elected and qualified, and the judges of the Supreme Court, or a majority of them, shall have the power to fill any vacancy in the office of clerk of the Supreme Court until an election can be regularly had.

4. VI.

The State shall be divided by the Legislature into judicial districts, which shall be composed of contiguous territory, be bounded by county lines, and contain a population as nearly equal as may be practicable. In each judicial district one or more judges, as the Legislature may prescribe, shall be elected by the electors thereof, whose term of office shall be six years, and each of said judges shall severally have and exercise the powers of the court, under such limitations as may be prescribed by law. Every district judge shall, at the time of his election,

Supreme Court.

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be a resident of the district for which he shall be elected, and shall reside therein during his continuance in office. In case any Court of Common Pleas heretofore established shall be abolished, the judge of said court may be constituted by the Legislature one of the judges of the District Court of the district wherein such court has been so established, for a period not exceeding the unexpired term for which he was elected.

12. VI.

The Legislature may, at any time, change the number of judicial districts or their boundaries, when it shall be deemed expedient; but no such change shall vacate the office of any judge.

14.

Until the Legislature shall otherwise provide, the State shall be divided into judicial districts as follows, viz.:

The counties of Washington, Chisago, Manomin, Anoka, Isanti, Pine, Buchanan, Carlton, St. Louis and Lake shall constitute the first district.

The county of Ramsey shall constitute the second judicial district.

The counties of Houston, Winona, Fillmore, Olmsted and Wabasha shall constitute the third judicial district.

The counties of Hennepin, Carver, Wright, Meeker, Sherburne, Benton, Stearns, Morrison, Crow Wing, Mille Lacs, Itasca, Pembina, Todd and Cass shall constitute the fourth judicial district.

The counties of Dakota, Goodhue, Scott, Rice, Steele, Waseca, Dodge, Mower and Freeborn shall constitute the fifth judicial district.

The counties of Le Sueur, Sibley, Nicolett, Blue Earth, Fari-

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bault, McLeod, Renville, Brown and all other counties in the State not included within other districts shall constitute the sixth judicial district.

15.

Each of the foregoing enumerated judicial districts may, at the first election, elect one prosecuting attorney for the district.

MISSISSIPPI.

145. VI.

The Supreme Court shall consist of three judges, any two of whom, when convened, shall form a quorum. The Legislature shall divide the State into three Supreme Court districts, and the Governor, by and with the advice and consent of the Senate, shall appoint one judge for and from each district; but the removal of a judge to the State capital during his term of office shall not render him ineligible as his own successor for the district from which he has removed. The present incumbents shall be considered as holding their terms of office from the State at large.

146. VI.

The Supreme Court shall have such jurisdiction as properly belongs to a Court of Appeals.

152. VI.

The Legislature shall divide the State into convenient Circuit and Chancery Court districts.

MISSOURI.

2. VI.

The Supreme Court, except in cases otherwise directed by this Constitution, shall have appellate jurisdiction only, which shall be co-extensive with the State, under the restrictions and limitations in this Constitution provided.

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3. VI.

The Supreme Court shall have a general superintending control over all inferior courts. It shall have power to issue writs of habeas corpus, mandamus, quo warranto, certiorari, and other original remedial writs, and to hear and determine the same.

5. VI.

The Supreme Court shall consist of five judges, any three of whom shall constitute a quorum; and said judges shall be conservators of the peace throughout the State, and shall be elected by the qualified voters thereof.

6. VI.

The judges of the Supreme Court shall be citizens of the United States, not less than thirty years old, and shall have been citizens of this State for five years next preceding their election or appointment, and shall be learned in the law.

10. VI.

The State shall provide a suitable court room at the seat of government, in which the Supreme Court shall hold its sessions; also a clerk's office, furnished offices for the judges and the use of the State library.

19. VI.

All cases which may be pending in the Supreme Court at St. Louis at the time of the adoption of this Constitution which, by its terms, would come within the final appellate jurisdiction of the St. Louis Court of Appeals, shall be certified and transferred to the St. Louis Court of Appeals, to be heard and determined by said court.

43. VI.

The Supreme Court of the State shall designate what opinions delivered by the court, or the

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Judges thereof, may be printed at the expense of the State, and the General Assembly shall make no provision for payment by the State for the publication of any case decided by said court not so designated.

The following amendment to the Constitution increasing the number of judges of the Supreme Court from five to seven, and creating two divisions of said court, was submitted to the qualified voters by concurrent resolution, and was adopted at the general election held on the Tuesday next following the first Monday in November, 1890.

1.

The Supreme Court shall consist of seven judges, and, after the first Monday in January, 1891, shall be divided into two divisions, as follows: One division to consist of four judges of the court, and to be known as division number one, the other to consist of the remaining judges and to be known as division number two. The divisions shall sit separately for the hearing and disposition of causes and matters pertaining thereto, and shall have concurrent jurisdiction of all matters and causes in the Supreme Court, except that division number two shall have exclusive cognizance of all criminal cases pending in said court: Provided, That a cause therein may be transferred to the court as provided in section four of this amendment. The division of business of which said divisions have concurrent jurisdiction shall be made as the Supreme Court may determine. A majority of the judges of a division shall constitute a quo-

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rum thereof, and all orders, judgments and decrees of either division, as to causes and matters pending before it, shall have the force and effect of those of the court.

2.

Upon the adoption of this amendment, the Governor shall appoint two additional judges of the Supreme Court, who shall hold their offices until the first Monday in January, 1893, and at the general election in the year 1892 their successors shall be elected, who shall hold their offices for the term of ten years, as other judges of the Supreme Court. The two judges appointed by the Governor, together with the judge elected at the general election in the year 1890, shall constitute division number two, and the remaining judges shall constitute division number one. The court shall elect its chief justice, and each division a presiding judge thereof.

8.

The Supreme Court shall assign to each division the causes and matters to be heard by it, of which assignment due public notice shall be given, and all laws relating to practice in the Supreme Court, as well as the rules of the Supreme Court, shall apply to each division so far as they may be applicable thereto. The opinion of each division shall be in writing, and shall be filed in the causes in which they shall be respectively made, during the term at which the cause is submitted; and such opinions shall be a part of the records of the Supreme Court. Each division shall have authority to issue the original writs and exercise the powers enumerated in sec-

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tion three of article six of the Constitution.

4.

When the judges of a division are equally divided in opinion in a cause, or where a judge of a division dissents from the opinion therein, or where a federal question is involved, the cause, on the application of the losing party, shall be transferred to the court for its decision; or where a division in which a cause is pending shall so order, the cause shall be transferred to the court for its decision.

5.

Whenever, in the opinion of the Supreme Court, the state of its docket with reference to the speedy disposition of the business of the court will justify dispensing with the divisions hereinbefore provided, the court shall dispense therewith, and the court shall thereafter hear and determine all causes pending in it: Provided, however, That the court shall have the power to again divide itself into two divisions, in like manner and with like power and effect as hereinbefore provided, whenever, in the opinion of six judges thereof, entered of record, the condition of its docket with reference to the speedy disposition of the business of the court shall so require; and in such division the four judges oldest in commission shall constitute division number one, and the remaining judges number two.

7.

All provisions of the Constitution of the State, and all laws thereof not consistent with this amendment, shall, upon its adoption, be forever rescinded and of no effect.

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MONTANA.**2. VIII.**

The Supreme Court, except as otherwise provided in this Constitution, shall have appellate jurisdiction only, which shall be co-extensive with the State, and shall have a general supervisory control over all inferior courts, under such regulations and limitations as may be prescribed by law.

3. VIII.

The appellate jurisdiction of the Supreme Court shall extend to all cases at law and in equity, subject, however, to such limitations and regulations as may be prescribed by law. Said court shall have power, in its discretion, to issue and to hear writs of habeas corpus, mandamus, quo warranto, certiorari, prohibition and injunction, and such other original and remedial writs as may be necessary or proper to the complete exercise of its appellate jurisdiction. When a jury is required in the Supreme Court to determine an issue of fact, said court shall have power to summon such jury in such manner as may be provided by law. Each of the justices of the Supreme Court shall have power to issue writs of habeas corpus to any part of the State, upon petition by or on behalf of, any person held in actual custody, and may make such writs returnable before himself or the Supreme Court, or before any District Court of the State or any judge thereof; and such writs may be heard and determined by the justice or court, or judge, before whom they are made returnable. Each of the justices of the Supreme Court may also issue and hear and determine writs

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of certiorari in proceedings for contempt in the District Court, and such other writs as he may be authorized by law to issue

5. VIII.

The Supreme Court shall consist of three justices, a majority of whom shall be necessary to form a quorum or pronounce a decision; but one or more of said justices may adjourn the court from day to day, or to a day certain, and the Legislative Assembly shall have the power to increase the number of such justices to not less nor more than five.

8. VIII.

There shall be elected at the first general election provided for by this Constitution one chief justice and two associate justices of the Supreme Court. At said first election the chief justice shall be elected to hold his office until the general election in the year one thousand eight hundred and ninety-two (1892), and one of the associate justices to hold his office until the general election in the year one thousand eight hundred and ninety-four (1894), and the other associate justice to hold his office until the general election in the year one thousand eight hundred and ninety-six (1896), and each shall hold until his successor is elected and qualified. The terms of office of said justices, and which one shall be chief justice, shall be at the first and all subsequent elections be designated by ballot. After said first election one chief justice or one associate justice shall be elected at the general election every two years, commencing in the year one thousand eight hundred and ninety-two (1892), and if

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the Legislative Assembly shall increase the number of justices to five, the first terms of office of such additional justices shall be fixed by law in such manner that at least one of the five justices shall be elected every two years. The chief justice shall preside at all sessions of the Supreme Court, and in case of his absence, the associate justice having the shortest term to serve shall preside in his stead.

9. VIII.

There shall be a clerk of the Supreme Court, who shall hold his office for the term of six years, except that the clerk first elected shall hold his office only until the general election in the year one thousand eight hundred and ninety-two (1892), and until his successor is elected and qualified. He shall be elected by the electors at large of the State, and his compensation shall be fixed by law, and his duties prescribed by law and by the rules of the Supreme Court.

10. VIII.

No person shall be eligible to the office of justice of the Supreme Court unless he shall have been admitted to practice law in the Supreme Court of the Territory or State of Montana, be at least thirty years of age, and a citizen of the United States; nor unless he shall have resided in said Territory or State at least two years next preceding his election.

13. VIII.

Until otherwise provided by law, the judicial districts of the State shall be constituted as follows: First district, Lewis and Clarke county; second district, Silver Bow county; third dis-

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trict, Deer Lodge county; fourth district, Missoula county; fifth district, Beaverhead, Jefferson, and Madison counties; sixth district, Gallatin, Park and Meagher counties; seventh district, Yellowstone, Custer and Dawson counties; eighth district, Choteau, Cascade and Fergus counties.

25. VIII.

The Supreme and District Courts shall be courts of record.

NEBRASKA.

2. VI.

The Supreme Court shall consist of three judges, a majority of whom shall be necessary to form a quorum, or to pronounce a decision. It shall have original jurisdiction in cases relating to the revenue, civil cases in which the State shall be a party, mandamus, quo warranto, habeas corpus, and such appellate jurisdictions as may be provided by law.

5. VI.

The judges of the Supreme Court shall, immediately after the election under this Constitution, be classified by lot, so that one shall hold his office for the term of two years, one for the term of four years, and one for the term of six years.

6. VI.

The judge of the Supreme Court having the shortest term to serve, not holding his office by appointment or election to fill a vacancy, shall be the chief justice, and as such shall preside at all terms of the Supreme Court; and in case of his absence, the judge having in like manner the next shortest term to serve shall preside in his stead.

7. VI.

No person shall be eligible to the

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office of judge of the Supreme Court unless he shall be at least thirty years of age, and a citizen of the United States; nor unless he shall have resided in this State at least three years next preceding his election.

10. VI.

The State shall be divided into six judicial districts, in each of which shall be elected by the electors thereof one judge, who shall be judge of the District Court therein, and whose term of office shall be four years.

Unless otherwise provided by law, said districts shall be as follows:

First district—The counties of Richardson, Johnson, Pawnee, Gage, Jefferson, Saline, Thayer, Clay, Nuckolls and Fillmore.

Second district—The counties of Nemaha, Otoe, Cass and Lancaster.

Third district—The counties of Douglas, Sarpy, Washington and Burt.

Fourth district—The counties of Saunders, Dodge, Butler, Colfax, Platte, Polk, Merrick, Hamilton, York, Seward, Hall and Howard.

Fifth district—The counties of Buffalo, Adams, Webster, Franklin, Harlan, Kearney, Phelps, Gosper, Furnas, Hitchcock, Dundy, Chase, Cheyenne, Keith, Lincoln, Dawson, Sherman, Red Willow, Frontier and the unorganized territory west of said district.

Sixth district—The counties of Cuming, Dakota, Dixon, Cedar, Wayne, Stanton, Madison, Boone, Pierce, Knox, Antelope, Holt, Greeley, Valley and the unorganized territory west of said district.

NEVADA.

2. VI.

The Supreme Court shall consist

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of a chief justice and two associate justices, a majority of whom shall constitute a quorum; Provided, That the Legislature, by a majority of all the members elected to each branch thereof, may provide for the election of two additional associate justices, and, if so increased, three shall constitute a quorum. The concurrence of a majority of the whole court shall be necessary to render a decision.

4. VI.

The Supreme Court shall have appellate jurisdiction in all cases in equity; also, in all cases at law in which is involved the title or right of possession to, or the possession of, real estate or mining claims, or the legality of any tax, impost, assessment, toll, or municipal fine, or in which the demand (exclusive of interest), or the value of the property in controversy exceeds three hundred dollars; also, in all other civil cases not included in the general subdivision of law and equity, and also on questions of law alone, in all criminal cases in which the offense charged amounts to felony. The court shall also have power to issue writs of mandamus, certiorari, prohibition, quo warranto and habeas corpus, and also all writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the justices shall have power to issue writs of habeas corpus to any part of the State upon petition by, or on behalf of, any person held in actual custody, and may make such writs returnable before himself or the Supreme Court, or before any District Court in the State, or before any judge of said courts.

5. VI.

The State is hereby divided into

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nine judicial districts, of which the county of Storey shall constitute the first; the county of Ormsby, the second; the county of Lyon, the third; the county of Washoe, the fourth; the counties of Nye and Churchill, the fifth; the county of Humboldt, the sixth; the county of Lander, the seventh; the county of Douglas, the eighth, and the county of Esmeralda, the ninth. The county of Roop shall be attached to the county of Washoe for judicial purposes, until otherwise provided by law. The Legislature may, however, provide by law for an alteration in the boundaries or divisions of the districts herein prescribed, and also for increasing or diminishing the number of judicial districts and judges therein. But no such change shall take effect except in case of a vacancy, or the expiration of the term of an incumbent of the office. At the first general election under this Constitution, there shall be elected in each of the respective districts (except as in this section hereafter provided) one district judge, who shall hold office from and including the first Monday of December, A. D. eighteen hundred and sixty-four, and until the first Monday of January, in the year eighteen hundred and sixty-seven; after the said first election there shall be elected at the general election which immediately precedes the expiration of the term of his predecessor, one district judge in each of the respective judicial districts (except in the first district, as in this section hereinafter provided). The district judges shall be elected by the qualified electors of their re-

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spective districts, and shall hold office for the term of four years (excepting those elected at the said first election) from and including the first Monday of January next succeeding their election and qualification: Provided, That the first judicial district shall be entitled to, and shall have, three district judges, who shall possess co-extensive and concurrent jurisdiction, and who shall be elected at the same times, in the same manner, and shall hold office for the like terms as herein prescribed in relation to the judges in other judicial districts. Any one of said judges may preside on the impanneling of grand juries, and the presentment and trial on the indictments, under such rules and regulations as may be prescribed by law.

19. XVII.

The judges of the Supreme Court and District judges to be elected at the first election under this Constitution shall qualify and enter upon the duties of their respective offices on the first Monday of December succeeding their election.

NEW JERSEY.

1. VI.

The Supreme Court shall consist of a chief justice and four associate justices. The number of associate justices may be increased or decreased by law, but shall never be less than two.

5. VII.

The law reporter shall be appointed by the justices of the Supreme Court, or a majority of them; and the Chancery reporter shall be appointed by the chancellor.

They shall hold their offices for five years.

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NORTH CAROLINA.**6. IV.**

The Supreme Court shall consist of a chief justice and four associate justices.

8. IV.

The Supreme Court shall have jurisdiction to review, upon appeal, and decision of the courts below upon any matter of law or legal inference. And the jurisdiction of said court over "issues of fact" and "questions of fact" shall be the same exercised by it before the adoption of the Constitution of one thousand eight hundred and sixty-eight, and the court shall have the power to issue any remedial writs necessary to give it a general supervision and control over the proceedings of the inferior courts,

9. IV.

The Supreme Court shall have original jurisdiction to hear claims against the State, but its decisions shall be merely recommendatory; no process in the nature of the execution shall issue thereon; they shall be reported to the next session of the General Assembly for its action.

NORTH DAKOTA.**86. IV.**

The Supreme Court, except as otherwise provided in this Constitution, shall have appellate jurisdiction only, which shall be co-extensive with the State, and shall have a general superintending control over all inferior courts under such regulations and limitations as may be prescribed by law.

87. IV.

It shall have power to issue writs of habeas corpus, mandamus, quo warranto, certiorari, injunction, and such other origi-

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nal and remedial writs as may be necessary to the proper exercise of its jurisdiction, and shall have authority to hear and determine the same: Provided, however, that no jury trials shall be allowed in said Supreme Court, but in proper cases questions of fact may be sent by said court to a District Court for trial.

89. IV.

The Supreme Court shall consist of three judges, a majority of whom shall be necessary to form a quorum or pronounce a decision, but one or more of said judges may adjourn the court from day to day or to a day certain.

94. IV.

No person shall be eligible to the office of judge of the Supreme Court unless he be learned in the law, be at least thirty years of age, and a citizen of the United States; nor unless he shall have resided in this State or Territory of Dakota three years next preceding his election.

101. IV.

When a judgment or decree is reversed or confirmed by the Supreme Court, every point fairly arising upon the record of the case shall be considered and decided, and the reasons therefor shall be concisely stated in writing, signed by the judges concurring, filed in the office of the clerk of the Supreme Court, and preserved with a record of the case. Any judge dissenting therefrom may give the reasons of his dissent in writing over his signature.

105. IV.

Until otherwise provided by law,

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said districts shall be constituted as follows:

District No. 1 shall consist of the counties of Pembina, Cavalier, Walsh, Nelson and Grand Forks.

District No. 2 shall consist of the counties of Ramsey, Towner, Benson, Pierce, Rolette, Bottineau, McHenry, Church, Renville, Ward, Stevens, Mountrail, Garfield, Flannery and Buford.

District No. 3 shall consist of the counties of Cass, Steele and Traill.

District No. 4 shall consist of the counties of Richland, Ransom, Sargent, Dickey and McIntosh.

District No. 5 shall consist of the counties of Logan, La Moure, Stutsman, Barnes, Wells, Foster, Eddy and Griggs.

District No. 6 shall consist of the counties of Burleigh, Emmons, Kidder, Sheridan, McLean, Morton, Oliver, Mercer, Williams, Stark, Hettinger, Bowman, Billings, McKenzie, Dunn, Wallace and Allred, and that portion of the Sioux Indian reservation lying north of the seventh standard parallel.

106. IV.

The Legislative Assembly may, whenever two-thirds of the members of each house shall concur therein, but not oftener than once in four years, increase the number of said judicial districts and the judges thereof; such districts shall be formed from compact territory and bounded by county lines; but such increase or change in the boundaries of the districts shall not work the removal of any judge from his office during the term for which he may have been elected or appointed.

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OHIO.

2. IV.

The Supreme Court shall, until otherwise provided by law, consist of five judges, a majority of whom, competent to sit, shall be necessary for a quorum or to pronounce a decision, except as hereinafter provided. It shall have original jurisdiction in quo warranto, mandamus, habeas corpus and procedendo, and such appellate jurisdiction as may be provided by law. It shall hold at least one term in each year at the seat of government, and such other terms, there or elsewhere, as may be provided by law. The judges of the Supreme Court shall be elected by the electors of the State at large, for such term, not less than five years, as the General Assembly may prescribe, and they shall be elected and their official term shall begin at such time as may be fixed by law. In case the General Assembly shall increase the number of such judges, the first term of each of such additional judges shall be such that in each year after their first election an equal number of judges of the Supreme Court shall be elected, except in elections to fill vacancies; and whenever the number of such judges shall be increased, the General Assembly may authorize such court to organize divisions thereof, not exceeding three, each division to consist of an equal number of judges; for the adjudication of cases, a majority of each division shall constitute a quorum, and such an assignment of the cases to each division may be made as such court may deem expedient; but whenever all the judges of either division hearing a case shall not

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concur as to the judgment to be rendered therein, or whenever a case shall involve the constitutionality of an act of the General Assembly or an act of Congress, it shall be reserved to the whole court for adjudication.

15. IV.

The General Assembly may increase or diminish the number of the judges of the Supreme Court, the number of the districts of the Court of Common Pleas, the number of judges in any district, change the districts, or subdivisions thereof, or establish other courts, whenever two-thirds of the members elected to each house shall concur therein; but no such change, addition or diminution shall vacate the office of any judge.

18. IV.

The several judges of the Supreme Court (of the Circuit Court), of the Common Pleas (Court), and of such other courts as may be created, shall, respectively, have and exercise such power and jurisdiction, at chambers or otherwise, as may be directed by law.

12. XI.

For judicial purposes the State shall be apportioned as follows:

The county of Hamilton shall constitute the first district, which shall not be subdivided; and the judges therein may hold separate courts or separate sittings of the same court at the same time.

The counties of Butler, Preble and Darke shall constitute the first subdivision; Montgomery, Miami and Champaign, the second, and Warren, Clinton, Greene and Clark, the third subdivision of the second dis-

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trict, and, together, shall form such district.

The counties of Shelby, Auglaize, Allen, Hardin, Logan, Union and Marion shall constitute the first subdivision; Mercer, Van Wert, Putnam, Paulding, Defiance, Williams, Henry and Fulton, the second and Wood, Seneca, Hancock, Wyandot and Crawford, the third subdivision of the third district, and, together, shall form such district.

The counties of Lucas, Ottawa, Sandusky, Erie and Huron shall constitute the first subdivision; Lorain, Medina and Summit, the second, and the county of Cuyahoga, the third subdivision of the fourth district, and, together, shall form such district.

The counties of Clermont, Brown and Adams shall constitute the first subdivision; Highland, Ross and Fayette, the second, and Pickaway, Franklin and Madison, the third subdivision of the fifth district, and, together, shall form such district.

The counties of Licking, Knox and Delaware shall constitute the first subdivision; Morrow, Richland and Ashland, the second, and Wayne, Holmes and Coshocton, the third subdivision of the sixth district, and, together, shall form such district.

The counties of Fairfield, Perry and Hocking shall constitute the first subdivision; Jackson, Vinton, Pike, Scioto and Lawrence, the second, and Gallia, Meigs, Athens and Washington, the third subdivision of the seventh district, and, together, shall form such district.

The counties of Muskingum and Morgan shall constitute the first subdivision; Guernsey, Belmont and Monroe, the second, and Jefferson, Harrison and

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Tuscarawas, the third subdivision of the eighth district, and, together, shall form such district.

The counties of Stark, Carroll and Columbiana shall constitute the first subdivision; Trumbull, Portage and Mahoning, the second, and Geauga, Lake and Ashtabula, the third subdivision of the ninth district, and, together, shall form such district.

13. XI.

The General Assembly shall attach any new counties that may hereafter be erected to such districts or subdivisions thereof as shall be the most convenient.

11.

Suits pending in the Supreme Court in bank shall be transferred to the Supreme Court provided for in this Constitution, and be proceeded in according to law.

OREGON.

2. VII.

The Supreme Court shall consist of four justices, to be chosen in districts by the electors thereof, who shall be citizens of the United States, and who shall have resided in the State at least three years next preceding their election, and after their election to reside in their respective districts. The number of justices and districts may be increased, but shall not exceed five, until the white population of the State shall amount to one hundred thousand, and shall never exceed seven; and the boundaries of districts may be changed, but no change of district shall have the effect to remove a judge from office, or require him to change his residence without his consent.

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5. VII.

The judge who has the shortest term to serve, or the oldest of several having such shortest term, and not holding by appointment, shall be the chief justice.

6. VII.

The Supreme Court shall have jurisdiction only to revise the final decisions of the Circuit Courts; and every cause shall be tried, and every decision shall be made, by those judges only, or a majority of them, who did not try the cause or make the decision in the Circuit Court.

10.

When the white population of the State shall amount to two hundred thousand, the Legislative Assembly may provide for the election of supreme and circuit judges in distinct classes, one of which class shall consist of three judges of the Supreme Court, who shall not perform circuit duty, and the other class shall consist of the necessary number of circuit judges, who shall hold full terms without allotment, and who shall take the same oath as the supreme judges.

11. XVIII.

Until otherwise provided by law, the judicial districts of the State shall be constituted as follows: The counties of Jackson, Josephine and Douglas shall constitute the first district. The counties of Umpqua, Coos and Curry, Lane and Benton shall constitute the second district. The counties of Linn, Marion, Polk, Yamhill and Washington shall constitute the third district. The counties of Clackamas, Multnomah, Wasco, Columbia, Clatsop and Tillamook shall consti-

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tute the fourth district; and the county of Tillamook shall be attached to the county of Clatsop for judicial purposes.

PENNSYLVANIA.**16. V.**

Whenever two judges of the Supreme Court are to be chosen for the same term of service, each voter shall vote for one only, and when three are to be chosen, he shall vote for not more than two; candidates highest in vote shall be declared elected.

17. V.

Should any two or more judges of the Supreme Court, or any two or more judges of the Court of Common Pleas for the same district, be elected at the same time, they shall, as soon after the election as convenient, cast lots for priority of commission, and certify the result to the Governor, who shall issue their commissions in accordance therewith.

19. V.

The judges of the Supreme Court during their continuance in office shall reside within this Commonwealth; and the other judges, during their continuance in office, shall reside within the districts for which they shall be respectively elected.

24. V.

In all cases of felonious homicide, and in such other criminal cases as may be provided for by law, the accused, after conviction and sentence, may remove the indictment, record and all proceedings to the Supreme Court for review.

RHODE ISLAND.**3. X.**

The judges of the Supreme Court shall, in all trials, instruct the

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jury in the law. They shall also give their written opinion upon any question or law whenever requested by the Governor or by either house of the General Assembly.

4. X.

The judges of the Supreme Court shall be elected by the two houses in grand committee. Each judge shall hold his office until his place be declared vacant by a resolution of the General Assembly to that effect; which resolution shall be voted for by a majority of all the members elected to the house in which it may originate, and be concurred in by the same majority of the other house. Such resolution shall not be entertained at any other than the annual session for the election of public officers; and in default of the passage thereof at said session, the judge shall hold his place as is herein provided. But a judge of any court shall be removed from office if, upon impeachment, he shall be found guilty of any official misdemeanor.

SOUTH CAROLINA.**3. II.**

The judicial districts shall hereafter be designated as counties, and the boundaries of the several counties shall remain as they are now established, except the county of Pickens, which is hereby divided into two counties by a line leaving the southern boundary of the State of North Carolina where the White Water river enters this State, and thence down the center of said river, by whatever names known, to Ravenel's Bridge, on Seneca river; and thence along the center of the road leading to Pendleton village until it in-

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tersects the line of the county of Anderson; and the territory lying east of said line shall be known as the county of Pickens; and the territory lying west of said line shall be known as the county of Oconee: Provided, That the General Assembly shall have the power at any time to organize new counties by changing the boundaries of any of the old ones; but no new county shall be hereafter formed of less extent than six hundred and twenty-five square miles, nor shall any existing counties be reduced to a less extent than six hundred and twenty-five square miles. Each county shall constitute one election district.

2. IV.

The Supreme Court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum. They shall be elected by a joint vote of the General Assembly for the term of six years, and shall continue in office until their successors shall be elected and qualified. They shall be so classified that one of the justices shall go out of office every two years.

4. IV.

The Supreme Court shall have appellate jurisdiction only in cases of chancery, and shall constitute a court for the correction of errors at law, under such regulations as the General Assembly may by law prescribe: Provided, That said court shall always have power to issue writs of injunction, mandamus, quo warranto, habeas corpus, and such other original and remedial writs as may be necessary to give it a general supervisory control

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over all other courts in the State.

7. IV.

There shall be appointed by the judges of the Supreme Court a reporter and clerk of said court, who shall hold their offices for two years, and whose duties and compensation shall be prescribed by law.

8. IV.

When a judgment or decree is reversed or affirmed by the Supreme Court, every point made and distinctly stated in writing in the cause and fairly arising upon the record of the case shall be considered and decided, and the reasons therefor shall be concisely and briefly stated in writing and preserved with the records of the case.

9. IV.

The judges of the Supreme Court and Superior Courts shall, at stated times, receive a compensation for their services, to be fixed by law, which shall not be diminished during their continuance in office. They shall not be allowed any fees or perquisites of office, nor shall they hold any other office of trust or profit under this State, the United States, or any other power.

10. IV.

No person shall be eligible to the office of judge of the Supreme Court or Circuit Courts who is not, at the time of his election, a citizen of the United States and has not attained the age of thirty years, and been a resident of this State for five years next preceding his election, or from the adoption of this Constitution.

12. IV.

In all cases decided by the Supreme Court a concurrence of

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two of the judges shall be necessary to a decision.

17. IV.

The General Assembly shall provide by law for the preservation of the records of the courts of equity, and also for the transfer to the Courts of Common Pleas and Probate Courts for final decision of all causes that may remain undetermined. It shall be the duty of the judges of the Supreme and Circuit Courts to file their decisions within sixty days from the last day of the term of court at which the causes were heard.

SOUTH DAKOTA.

2. V.

The Supreme Court, except as otherwise provided in this Constitution, shall have appellate jurisdiction only, which shall be co-extensive with the State, and shall have a general superintending control over all inferior courts, under such regulations and limitations as may be prescribed by law.

3. V.

The Supreme Court and the judges thereof shall have power to issue writs of habeas corpus. The Supreme Court shall also have power to issue writs of mandamus, quo warranto, certiorari, injunction, and other original and remedial writs, with authority to hear and determine the same in such cases and under such regulations as may be prescribed by law: Provided, however, That no jury trials shall be allowed in said Supreme Court, but in proper cases questions of fact may be sent by said court to a Circuit Court for trial before a jury.

5. V.

The Supreme Court shall consist of three judges, to be chosen from districts by qualified electors at large, as hereinafter provided.

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6. V.

The number of said judges and districts may, after five years from the admission of this State, under this Constitution, be increased by law to not exceeding five.

7. V.

A majority of the judges of the Supreme Court shall be necessary to form a quorum or to pronounce a decision, but one or more of said judges may adjourn the court from day to day, or to a day certain.

8. V.

The term of the judges of the Supreme Court who shall be elected at the first election under this Constitution shall be four years. At all subsequent elections the term of said judges shall be six years.

9. V.

The judges of the Supreme Court shall, by rule, select from their number a presiding judge, who shall act as such for the term prescribed by such rule.

10. V.

No person shall be eligible to the office of judge of the Supreme Court unless he be learned in the law, be at least thirty years of age, a citizen of the United States; nor unless he shall have resided in this State or Territory at least two years next preceding his election, and at the time of his election be a resident of the district from which he is elected; but for the purpose of re-election, no such judge shall be deemed to have lost his residence in the district by reason of his removal to the seat of government in the discharge of his official duties.

11. V.

Until otherwise provided by law, the districts from which the said judges of the Supreme Court shall be elected shall be constituted as follows:

First district—All that portion of the State lying west of the Missouri river.

Supreme Court.

Sec. Art.

Second district—All that portion of the State lying east of the Missouri river and south of the second standard parallel.

Third district—All that portion of the State lying east of the Missouri river and north of the second standard parallel.

12. V.

There shall be a clerk and also a reporter of the Supreme Court, who shall be appointed by the judges thereof, and who shall hold office during the pleasure of said judges, and whose duties and emoluments shall be prescribed by law, and by the rules of the Supreme Court, not inconsistent with law. The Legislature shall make provisions for the publication and distribution of the decisions of the Supreme Court, and for the sale of the published volumes thereof. No private person or corporation shall be allowed to secure any copyright to such decisions, but if any copyrights are secured they shall inure wholly to the benefit of the State.

31. V.

No judge of the Supreme Court or Circuit Court shall act as attorney or counselor at law, nor shall any county judge act as an attorney or counselor at law in any case which is or may be brought into his court, or which may be appealed therefrom.

36. V.

All judges or other officers of the Supreme, Circuit or County Courts provided for in this article shall hold their offices until their successors respectively are elected or appointed and qualified.

TENNESSEE.

2. VI.

The Supreme Court shall consist of five judges, of whom not

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more than two shall reside in any one of the grand divisions of the State. The judges shall designate one of their own number who shall preside as chief justice. The concurrence of three of the judges shall, in every case, be necessary to a decision. The jurisdiction of this court shall be appellate only, under such restrictions and regulations as may, from time to time, be prescribed by law; but it may possess such other jurisdiction as is now conferred by law on the present Supreme Court; said court shall be held at Knoxville, Nashville and Jackson.

13. VI.

Judges of the Supreme Court shall appoint their clerks, who shall hold their offices for six years. Chancellors shall appoint their clerks and masters, who shall hold their offices for six years. Clerks of the inferior courts, holden in the respective counties or districts, shall be elected by the qualified voters thereof, for the term of four years. Any clerk may be removed from office for malfeasance, incompetency or neglect of duty, in such manner as may be prescribed by law.

2.

At the first election of judges under this Constitution, there shall be elected six judges of the Supreme Court, two from each grand division of the State, who shall hold their offices for the term herein prescribed.

In the event any vacancy shall occur in the office of either of said judges at any time after the first day of January, 1872, it shall remain unfilled, and the court shall, from that time, be constituted of five judges.

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While the court shall consist of six judges they may sit in two sections, and may hear and determine causes in each at the same time, but not in different grand divisions at the same time.

When so sitting the concurrence of two judges shall be necessary to a decision.

The Attorney-General and reporter for the State shall be appointed after the election and qualification of the judges of the Supreme Court herein provided for.

TEXAS.

2. V.

The Supreme Court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and the concurrence of two judges shall be necessary to the decision of a case. No person shall be eligible to the office of chief justice or associate justice of the Supreme Court unless he be, at the time of his election, a citizen of the United States and of this State, and unless he shall have attained the age of thirty years, and shall have been a practicing lawyer or a judge of a court, or such lawyer and judge together, at least seven years. Said chief justice and associate justices shall be elected by the qualified voters of the State at a general election, shall hold their offices six years, or until their successors are elected and qualified, and shall each receive an annual salary of four thousand dollars until otherwise provided by law. In case of a vacancy in the office of chief justice of the Supreme Court, the Governor shall fill the vacancy until the next general

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election for State officers, and at such general election the vacancy for the unexpired term shall be filled by election by the qualified voters of the State. The judges of the Supreme Court who may be in office at the time this amendment takes effect shall continue in office until the expiration of their term of office under the present Constitution, and until their successors are elected and qualified.

3. V.

The Supreme Court shall have appellate jurisdiction only, except as herein specified, which shall be co-extensive with the limits of the State. Its appellate jurisdiction shall extend to questions of law arising in cases of which the courts of civil appeals have appellate jurisdiction, under such restrictions and regulations as the Legislature may prescribe. Until otherwise provided by law, the appellate jurisdiction of the Supreme Court shall extend to questions of law arising in the cases in the courts of civil appeals in which the judges of any court of civil appeals may disagree, or where the several courts of civil appeals may hold differently on the same question of law, or where a statute of the State is held void. The Supreme Court and the justices thereof shall have power to issue writs of habeas corpus, as may be prescribed by law, and under such regulations as may be prescribed by law the said courts and the justices thereof may issue the writs of mandamus, procedendo, certiorari, and such other writs as may be necessary to enforce its jurisdiction. The Legislature may confer original

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jurisdiction on the Supreme Court to issue writs of quo warranto and mandamus in such cases as may be specified, except as against the Governor of the State. The Supreme Court shall also have power, upon affidavit or otherwise, as by the court may be determined, to ascertain such matters of fact as may be necessary to the proper exercise of its jurisdiction. The Supreme Court shall sit for the transaction of business from the first Monday in October of each year until the last Saturday of June in the next year, inclusive, at the capital of the State. The Supreme Court shall appoint a clerk, who shall give bond in such manner as is now or may hereafter be required by law, and he may hold his office for four years, and shall be subject to removal by said court for good cause, entered of record on the minutes of said court, who shall receive such compensation as the Legislature may provide.

14. V.

The judicial districts in this State and the time of holding the courts therein are fixed by ordinance forming a part of this Constitution until otherwise provided by law.

25. V.

The Supreme Court shall have power to make and establish rules of procedure, not inconsistent with the laws of the State, for the government of said court and the other courts of this State, to expedite the dispatch of business therein.

WASHINGTON.

2. IV.

The Supreme Court shall consist of five judges, a majority of whom shall be necessary to

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form a quorum, and pronounce a decision. The said court shall always be open for the transaction of business, except on non-judicial days. In the determination of causes all decisions of the court shall be given in writing, and the grounds of the decision shall be stated. The Legislature may increase the number of judges of the Supreme Court from time to time, and may provide for separate departments of said court.

4. IV.

The Supreme Court shall have original jurisdiction in habeas corpus and quo warranto and mandamus as to all State officers, and appellate jurisdiction in all actions and proceedings excepting that its appellate jurisdiction shall not extend to civil actions at law for the recovery of money or personal property when the original amount in controversy, or the value of the property, does not exceed the sum of two hundred dollars (\$200), unless the action involves the legality of a tax, impost, assessment, toll, municipal fine, or the validity of a statute. The Supreme Court shall also have power to issue writs of mandamus, review, prohibition, habeas corpus, certiorari and all other writs necessary and proper to the complete exercise of its appellate and revisory jurisdiction. Each of the judges shall have power to issue writs of habeas corpus to any part of the State upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself, or before the Supreme Court, or before any Superior Court of the State or any judge thereof.

11. IV.

The Supreme Court and the Supe-

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rior Court shall be courts of record, and the Legislature shall have power to provide that any of the courts of this State, excepting justices of the peace, shall be courts of record.

17. IV.

No person shall be eligible to the office of judge of the Supreme Court, or judge of a Superior Court, unless he shall have been admitted to practice in the courts of record of this State, or of the Territory of Washington.

18. IV.

The judges of the Supreme Court shall appoint a reporter for the decisions of that court, who shall be removable at their pleasure. He shall receive such annual salary as shall be prescribed by law.

25. IV.

Superior judges shall, on or before the first day of November in each year, report in writing to the judges of the Supreme Court, such defects and omissions in the laws as their experience may suggest, and the judges of the Supreme Court shall, on or before the first day of January in each year, report in writing to the Governor such defects and omissions in the laws as they may believe to exist.

WEST VIRGINIA.

2. VIII.

The Supreme Court of Appeals shall consist of four judges, any three of whom shall be a quorum for the transaction of business. They shall be elected by the voters of the State and hold their office for the term of years, unless sooner removed in the manner prescribed by this Constitution; except that the judges in office when this article takes effect shall remain therein until the ex-

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piration of their present term of office.

3. VIII.

It shall have original jurisdiction in cases of habeas corpus, mandamus and prohibition. It shall have appellate jurisdiction in civil cases where the matter in controversy, exclusive of costs, is of greater value or amount than one hundred dollars; in controversies concerning the title of boundaries of land, the probate of wills, the appointment or qualification of a personal representative, guardian, committee or curator; or concerning a mill, road, way, ferry or landing; or the right of a corporation or county to levy tolls or taxes; and also in cases of quo warranto, habeas corpus, mandamus, certiorari and prohibition, and in cases involving freedom, or the constitutionality of a law. It shall have appellate jurisdiction in criminal cases where there has been a conviction for felony or misdemeanor in a Circuit Court, and where a conviction has been had in any inferior court and been affirmed in a Circuit Court and in cases relating to the public revenue, the right of appeal shall belong to the State as well as the defendant, and such other appellate jurisdiction, in both civil and criminal cases as may be prescribed by law.

WISCONSIN.

3. VII.

The Supreme Court, except in cases otherwise provided in this Constitution, shall have appellate jurisdiction only, which shall be co-extensive with the State; but in no case removed to the Supreme Court shall a trial by jury be allowed. The Supreme Court shall have a general superintending control over all inferior courts; it shall have power to issue writs of habeas corpus, mandamus, injunction, quo warranto, certiorari, and other original and remedial writs, and to hear and determine the same.

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4. VII.

For the term of five years, and thereafter until the Legislature shall otherwise provide, the judges of the several Circuit Courts shall be judges of the Supreme Court, four of whom shall constitute a quorum, and the concurrence of a majority of the judges present shall be necessary to a decision. The Legislature shall have power, if they should think it expedient and necessary, to provide by law for the organization of a separate Supreme Court, with the jurisdiction and powers prescribed in this Constitution, to consist of one chief justice and two associate justices, to be elected by the qualified voters of the State, at such time and in such manner as the Legislature may provide. The separate Supreme Court, when so organized, shall not be changed or discontinued by the Legislature; the judges thereof shall be so classified that but one of them shall go out of office at the same time, and their term of office shall be the same as provided for the judges of the Circuit Court. And whenever the Legislature may consider it necessary to establish a separate Supreme Court, they shall have the power to reduce the number of circuit judges to four, and subdivide the judicial districts; but no such subdivision or reduction shall take effect until after the expiration of the term of some one of the said judges, or until a vacancy occur by some other means.

4.

The Supreme Court shall consist of one chief justice and four associate justices, to be elected by the qualified electors of the State. The Legislature shall, at its first session after the adoption of this amendment, provide by law for the election of two associate justices of said court, to hold their offices for

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terms ending two and four years respectively after the end of the term of the justice of the said court then last to expire. And thereafter the chief justice and associate justices of the said court shall be elected and hold their offices respectively for the term of ten years.

4.

The chief justice and associate justices of the Supreme Court shall be severally known as justices of said court, with the same terms of office, respectively, as now provided. The Supreme Court shall consist of five justices (any three of whom shall be a quorum), to be elected as now provided. The justice having been longest a continuous member of the court (or in case of two or more of such senior justices having served for the same length of time, then the one whose commission first expires) shall be ex officio the chief justice.

WYOMING.

2. V.

The Supreme Court shall have general appellate jurisdiction, co-extensive with the State, in both civil and criminal causes, and shall have a general superintending control over all inferior courts, under such rules and regulations as may be prescribed by law.

3. V.

The Supreme Court shall have original jurisdiction in quo warranto and mandamus as to all State officers, and in habeas corpus. The Supreme Court shall also have power to issue writs of mandamus, review, prohibition, habeas corpus, certiorari, and other writs necessary and proper to the complete exercise of its appellate and revisory

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jurisdiction. Each of the judges shall have power to issue writs of habeas corpus to any part of the State upon petition by or on behalf of a person held in actual custody, and may make such writs returnable before himself or before the Supreme Court, or before any District Court of the State or any judge thereof.

4. V.

The Supreme Court of the State shall consist of three justices, who shall be elected by the qualified electors of the State, at a general State election, at the times and places at which State officers are elected; and their term of office shall be eight (8) years, commencing from and after the first Monday in January next succeeding their election; and the justices elected at the first election after this Constitution shall go into effect shall, at their first meeting provided by law, so classify themselves by lot that one of them shall go out of office at the end of four (4) years, and one at the end of six (6) years, and one at the end of eight (8) years from the commencement of their term, and an entry of such classification shall be made in the record of the court and signed by them, and a duplicate thereof shall be filed in the office of the Secretary of State. The justice having the shortest term to serve and not holding his office by appointment or election to fill a vacancy shall be the chief justice, and shall preside at all terms of the Supreme Court; and in case of his absence, the justice having in like manner the next shortest term to serve shall preside in his stead. If a vacancy occur in the office of a justice of the

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Supreme Court, the Governor shall appoint a person to hold the office until the election and qualification of a person to fill the unexpired term occasioned by such vacancy, which election shall take place at the next succeeding general election. The first election of the justices shall be at the first general election after this Constitution shall go into effect.

5. V.

A majority of the justices of the Supreme Court shall be necessary to constitute a quorum for the transaction of business.

8. V.

No person shall be eligible to the office of justice of the Supreme Court unless he be learned in the law, have been in actual practice at least nine (9) years, or whose service on the bench of any court of record, when added to the time he may have practiced law, shall be equal to nine (9) years, be at least thirty years of age and a citizen of the United States; nor unless he shall have resided in this State or Territory at least three years.

16. V.

No duties shall be imposed by law upon the Supreme Court or any of the judges thereof, except such as are judicial; nor shall any of the judges thereof exercise any power of appointment except as herein provided.

20. V.

Until otherwise provided by law, said judicial district shall be constituted as follows:

District number one shall consist of the counties of Laramie, Converse and Crook.

District number two shall consist of the counties of Albany, Johnson and Sheridan.

Supreme Court.

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District number three shall consist of the counties of Carbon, Sweetwater, Uinta and Fremont.

21. V.

The Legislature may, from time to time, increase the number of said judicial districts and the judges thereof, and such increase or change in the boundaries of the district shall not work the removal of any judge from his office during the term for which he may have been elected or appointed; provided the number of districts and district judges shall not exceed four until the taxable valuation of property in the State shall exceed one hundred million dollars (\$100,000,000).

25. V.

No judge of the Supreme or District Court shall act as attorney or counselor at law.

28. V.

Appeals from decisions of compulsory boards of arbitration shall be allowed to the Supreme Court of the State, and the manner of taking such appeals shall be prescribed by appointing such judge.

15. XXI.

Whenever any two of the judges of the Supreme Court of the

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State, elected under the provisions of this Constitution, shall have qualified in their offices, the causes then pending in the Supreme Court of the Territory, and the papers, records and proceedings of said court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the Supreme Court of the State; and until so superseded the Supreme Court of the Territory and the judges thereof shall continue with like powers and jurisdiction as if this Constitution had not been adopted. Whenever the judge of the District Court of any district, elected under the provisions of this Constitution, shall have qualified in office, the several causes then pending in the District Court of the Territory, within any county in such district, and the records, papers and proceedings of said District Court and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the District Court of the State for such county; and until the District Courts of this Territory shall be superseded in the manner aforesaid the said District Courts and the judges thereof shall continue with the same jurisdiction and power to be exercised in the same judicial districts respectively as heretofore constituted under the laws of the Territory.

DIVISION OF JUDICIAL DEPARTMENTS.

1 Sec. 2. The Legislature shall divide the State into four
2 judicial departments. The first department shall consist of the
3 county of New York; the others shall be bounded by county
4 lines, and be compact and equal in population as nearly as
5 may be. Once every ten years the Legislature may alter the
6 judicial departments, but without increasing the number
7 thereof.

8 There shall be an Appellate Division of the Supreme Court,
9 consisting of seven justices in the first department, and of five
10 justices in each of the other departments. In each department
11 four shall constitute a quorum, and the concurrence of three
12 shall be necessary to a decision. No more than five justices
13 shall sit in any case.

14 From all the justices elected to the Supreme Court the Gov-
15 ernor shall designate those who shall constitute the Appellate
16 Division in each department; and he shall designate the Pre-
17 siding Justice thereof, who shall act as such during his term
18 of office, and shall be a resident of the department. The other
19 justices shall be designated for terms of five years, or the
20 unexpired portions of their respective terms of office, if less
21 than five years. From time to time as the terms of such des-
22 ignations expire, or vacancies occur, he shall make new designa-

Division of Judicial Departments.

23 nations. He may also make temporary designations in case of
24 the absence or inability to act, of any justice in the Appellate
25 Division. A majority of the justices designated to sit in the
26 Appellate Division in each department shall be residents of the
27 department. Whenever the Appellate Division in any depart-
28 ment shall be unable to dispose of its business within a reason-
29 able time, a majority of the Presiding Justices of the several
30 departments at a meeting called by the Presiding Justice of
31 the department in arrears may transfer any pending appeals
32 from such department to any other department for hearing
33 and determination. No justice of the Appellate Division shall
34 exercise any of the powers of a justice of the Supreme Court,
35 other than those of a justice out of court, and those pertaining
36 to the Appellate Division or to the hearing and decision of
37 motions submitted by consent of counsel. From and after the
38 last day of December, one thousand eight hundred and ninety-
39 five, the Appellate Division shall have the jurisdiction now
40 exercised by the Supreme Court at its General Terms, and by
41 the General Terms of the Court of Common Pleas for the City
42 and County of New York, the Superior Court of the City of
43 New York, the Superior Court of Buffalo and the City Court
44 of Brooklyn, and such additional jurisdiction as may be con-
45 ferred by the Legislature. It shall have power to appoint and
46 remove a reporter.

Division of Judicial Departments.

47 The justices of the Appellate Division in each department
48 shall have power to fix the times and places for holding Spe-
49 cial and Trial Terms therein, and to assign the justices in the
50 departments to hold such terms; or to make rules therefor.

Judges Not to Sit in Review in Certain Cases.

JUDGES NOT TO SIT IN REVIEW IN CERTAIN CASES.

1 Sec. 3. No judge or justice shall sit in the Appellate
 2 Division or in the Court of Appeals in review of a decision
 3 made by him or by any court of which he was at the time a
 4 sitting member. The testimony in equity cases shall be taken
 5 in like manner as in cases at law; and, except as herein other-
 6 wise provided, the Legislature shall have the same power to
 7 alter and regulate the jurisdiction and proceedings in law and
 8 in equity that it has heretofore exercised.

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ARKANSAS.**20. VII.**

No judge or justice shall preside in the trial of any cause in the event of which he may be interested, or where either of the parties shall be connected with him by consanguinity or affinity, within such degree as may be prescribed by law; or in which he may have been of counsel or have presided in any inferior court.

DELAWARE.**8. VI.**

In matters of chancery jurisdiction in which the Chancellor is interested, the chief justice sitting in the Superior Court without the associate judges, shall have jurisdiction, with an appeal to the Court of Errors and Appeals, which shall consist in this case of the three associate judges, the senior associate judge presiding.

GEORGIA.**2. VI.**

Par. III. No judge of any court

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shall preside in any case where the validity of any bond—Federal, State, corporation or municipal—is involved, who holds in his own right, or as the representative of others, any material interest in the class of bonds upon which the questions to be decided arises.

MARYLAND.**7. IV.**

No judge shall sit in any case wherein he may be interested, or where either of the parties may be connected with him, by affinity or consanguinity, within such degrees as now are, or may hereafter be prescribed by law, or where he shall have been of counsel in the case.

MISSISSIPPI.**165. VI.**

No judge of any court shall preside on the trial of any cause where the parties or either of them shall be connected with him by affinity or consanguinity, or where he may be interested

Judges Not to Sit in Review in Certain Cases.

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in the same, except by the consent of the judge and of the parties. Whenever any judge of the Supreme Court or the judge or chancellor of any district, in this State, shall, for any reason, be unable or disqualified to preside at any term of court, or in case where the attorneys engaged therein shall not agree upon a member of the bar to preside in his place, the Governor may commission another, or others, of law knowledge to preside at such term or during such disability or disqualification in the place of the judge or judges so disqualified. Where either party shall desire, the Supreme Court, for the trial of any cause shall be composed of three judges. No judgment or decree shall be affirmed by disagreement of two judges constituting a quorum.

NEW HAMPSHIRE.**100. IV.**

In case a judge of the Supreme Court shall be in any way interested in a cause brought before said court, the remaining judges of said court shall call one of the district judges to sit with them on the hearing of said cause.

SOUTH CAROLINA.**6. IV.**

No judge shall preside on the trial of any cause in the event of which he may be interested, or where either of the parties shall be connected with him by affinity or consanguinity, within such degrees as may be prescribed by law, or in which he may have been counsel or have presided in any inferior court, except by consent of all the parties. In case all or any of the judges of the Supreme Court shall be thus disqualified from presiding in

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any cause or causes, the court or the judges thereof shall certify the same to the Governor of the State, and he shall immediately commission, specially, the requisite number of men learned in the law for the trial and determination thereof. The same course shall be pursued in the Circuit and inferior courts as is prescribed in this section for cases of the Supreme Court.

TENNESSEE.**11. VI.**

No judge of the Supreme or inferior courts shall preside on the trial of any cause in the event of which he may be interested, or where either of the parties shall be connected with him by affinity or consanguinity, within such degrees as may be prescribed by law, or in which he may have been of counsel, or in which he may have presided in any inferior court, except by consent of all the parties. In case all or any of the judges of the Supreme Court shall be thus disqualified from presiding on the trial of any cause or causes, the court, or the judges thereof, shall certify the same to the Governor of the State, and he shall forthwith specially commission the requisite number of men, of law knowledge, for the trial and determination thereof. The Legislature may, by general laws, make provision that special judges may be appointed to hold any court, the judge of which shall be unable or fail to attend or sit, or to hear any cause in which the judge may be incompetent.

TEXAS.**11. V.**

No judge shall sit in any case wherein he may be interested, or when either of the parties may be connected with him

Judges Not to Sit in Review in Certain Cases.

Sec. Art.

either by affinity or consanguinity, within such a degree as may be prescribed by law, or when he shall have been counsel in the case. When the Supreme Court, the Court of Criminal Appeals, the Court of Civil Appeals, or any member of either, shall be thus disqualified to hear and determine any case or cases in said court, the same shall be certified to the Governor of the State, who shall immediately commission the requisite number of persons learned in the law, for the trial and determination of such cause or causes. When a judge of the District Court is disqualified by any of the causes above stated, the parties may, by consent, appoint a proper person to try said case; or, upon their failing to do so, a competent person may be appointed

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to try the same in the county where it is pending, in such manner as may be prescribed by law. And the district judges may exchange districts, or hold courts for each other when they may deem it expedient, and shall do so when required by law. This disqualification of judges of inferior tribunals shall be remedied, and vacancies in their office filled, as may be prescribed by law.

WYOMING.**6. V.**

In case a judge of the Supreme Court shall be in any way interested in a cause brought before such court the remaining judges of said court shall call one of the district judges to sit with them on the hearing of said cause.

Terms of Office.

TERMS OF OFFICE.

1 Sec. 4. The official terms of the justices of the Supreme
2 Court shall be fourteen years from and including the first day
3 of January next after their election. When a vacancy shall
4 occur otherwise than by expiration of term in the office of
5 justice of the Supreme Court the same shall be filled for a full
6 term, at the next general election, happening not less than
7 three months after such vacancy occurs; and, until the vacancy
8 shall be so filled, the Governor by and with the advice and
9 consent of the Senate, if the Senate shall be in session, or if
10 not in session the Governor, may fill such vacancy by appoint-
11 ment, which shall continue until and including the last day of
12 December next after the election at which the vacancy shall
13 be filled.

Sec. Art.

ALABAMA.**4. VI.**

The State shall be divided by the General Assembly into convenient circuits, not to exceed eight in number, unless increased by a vote of two-thirds of the members of each house of the General Assembly, and no circuit shall contain less than three nor more than twelve counties; and for each circuit there shall be chosen a judge, who shall, for one year next preceding his election and during his continuance in office, reside in the circuit for which he is elected.

Sec. Art.

5. VI.

The Circuit Court shall have original jurisdiction in all matters, civil and criminal, within the State, not otherwise excepted in this Constitution; but in civil cases only, where the matter or sum in controversy exceeds fifty dollars.

6. VI.

A Circuit Court shall be held in each county in the State at least twice in every year, and the judges of the several circuits may hold courts for each other, when they deem it expedient, and shall do so when

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directed by law: Provided, That the judges of the several Circuit Courts shall have power to issue writs of injunction returnable into Courts of Chancery.

19. VI.

The General Assembly shall have power to provide for the holding of Circuit and Chancery Courts in this State, when the judges or chancellors thereof fail to attend regular terms.

25. VI.

A solicitor for each judicial circuit shall be elected by joint ballot of the General Assembly, who shall be learned in the law, and who shall, at the time of his election, and during his continuance in office, reside in the circuit for which he is chosen, and whose term of office shall be for six years: Provided, That the General Assembly, at the first session thereof after the ratification of this Constitution, shall, by joint ballot, elect a solicitor for each judicial circuit of the State, whose term of office shall begin on Tuesday after the first Monday in November, 1876, and continue for four years; and provided, That the General Assembly may, when necessary, provide for the election or appointment of county solicitors.

ARKANSAS.

8. VII.

The terms of the Supreme Court shall be held at the seat of government at the times that now are, or may be, provided by law.

11. VII.

The Circuit Courts shall have jurisdiction in all civil and criminal cases the exclusive jurisdiction of which may not be vested in some other court provided for by this Constitution.

Sec. Art.

12. VII.

The Circuit Courts shall hold their terms in each county at such times and places as are, or may be, prescribed by law.

13. VII.

The State shall be divided into convenient circuits, each circuit to be made up of contiguous counties, for each of which circuits a judge shall be elected, who, during his continuance in office, shall reside in and be a conservator of the peace within the circuit for which he shall have been elected.

14. VII.

The Circuit Courts shall exercise a superintending control and appellate jurisdiction over County, Probate, Court of Common Pleas and Corporation Courts and justices of the peace, and shall have power to issue, hear and determine all the necessary writs to carry into effect their general and specific powers, any of which writs may be issued upon order of the judge of the appropriate court in vacation.

16. VII.

A judge of the Circuit Court shall be a citizen of the United States, at least twenty-eight years of age, of good moral character, learned in the law, two years a resident of the State, and shall have practiced law six years or whose service upon the bench of any court of record, when added to the time he may have practiced law, shall be equal to six years.

17. VII.

The judges of the Circuit Courts shall be elected by the qualified electors of the several circuits, and shall hold their offices for the term of four years.

Terms of Office.

Sec. Art.

18. VII.

The judges of the Circuit Courts shall, at stated times, receive a compensation for their services, to be ascertained by law, which shall not, after the adjournment of the first session of the General Assembly, be diminished during the time for which they are elected. They shall not be allowed any fees or perquisites of office, nor hold any other office of trust or profit under this State or the United States.

21. VII.

Whenever the office of judge of the Circuit Court of any county is vacant at the commencement of a term of such court, or the judge of said court shall fail to attend, the regular practicing attorneys in attendance on said court may meet at ten o'clock A. M. on the second day of the term, and elect a judge to preside at such court, or until the regular judge shall appear; and if the judge of said court shall become sick or die or unable to continue to hold such court after its term shall have commenced, or shall from any cause be disqualified from presiding at the trial of any cause then pending therein, then the regular practicing attorneys in attendance on said court may, in like manner, on notice from the judge or clerk of said court, elect a judge to preside at such court or to try said causes, and the attorney so elected shall have the same power and authority in said court as the regular judge would have had if present and presiding; but this authority shall cease at the close of the term at which the election shall be made. The proceeding shall

Sec. Art.

be entered at large upon the record. The special judge shall be learned in the law and a resident of the State.

22. VII.

The judges of the Circuit Courts may temporarily exchange circuits or hold courts for each other under such regulations as may be prescribed by law.

27. VII.

The Circuit Court shall have jurisdiction upon information, presentment or indictment to remove any county or township officer from office for incompetency, corruption, gross immorality, criminal conduct, malfeasance, misfeasance or nonfeasance in office.

35. VII.

Appeals may be taken from judgments and orders of the Probate Court to the Circuit Court under such regulations and restrictions as may be prescribed by law.

42. VII.

Appeals may be taken from the final judgments of the justices of the peace to the Circuit Courts, under such regulations as are now, or may be, provided by law.

45. VII.

The separate criminal courts established in this State are hereby abolished, and all the jurisdiction exercised by said criminal courts is vested in the Circuit Courts of the respective counties; and all causes now pending therein are hereby transferred to said Circuit Courts respectively. It shall be the duty of the clerks of said criminal courts to transfer all the records, books and papers pertaining to said criminal

Terms of Office.

Sec. Art.

courts to the Circuit Courts of their respective counties.

51. VII.

That in all cases of allowances made for or against counties, cities or towns, an appeal shall lie to the Circuit Court of the county, at the instance of the party aggrieved, or on the intervention of any citizen or resident and taxpayer of such county, city or town, on the same terms and conditions on which appeal may be granted to the Circuit Court in the other cases; and the matter pertaining to any such allowance shall be tried in the Circuit Court de novo. In case an appeal be taken by any citizen, he shall give a bond, payable to the proper county, conditioned to prosecute the appeal and save the county from costs on account of the same being taken.

52. VII.

That in all cases of contest for any county, township or municipal office, an appeal shall lie, at the instance of the party aggrieved, from an inferior board, council or tribunal to the Circuit Court, on the same terms and conditions on which appeals may be granted to the Circuit Court in other cases, and on such appeals the case shall be tried de novo.

COLORADO.

4. VI.

At least two terms of the Supreme Court shall be held each year, at the seat of government.

FLORIDA.

10. V.

Until otherwise defined by the Legislature, the several judicial circuits of the State shall be as follows:

The first judicial circuit shall be

Sec. Art.

composed of the counties of Escambia, Santa Rosa, Walton, Holmes, Washington and Jackson.

The second judicial circuit shall be composed of the counties of Gadsden, Liberty, Calhoun, Franklin, Leon, Wakulla and Jefferson.

The third judicial circuit shall be composed of the counties of Madison, Taylor, Lafayette, Hamilton, Suwannee and Columbia.

The fourth judicial circuit shall be composed of the counties of Nassau, Duval, Baker, Bradford, Clay and St. Johns.

The fifth judicial circuit shall be composed of the counties of Putnam, Alachua, Levy, Marion and Sumter.

The sixth judicial circuit shall be composed of the counties of Hernando, Hillsborough, Manatee, Polk and Monroe.

The seventh judicial circuit shall be composed of the counties of Volusia, Brevard, Orange and Dade.

11. V.

The Circuit Courts shall have exclusive original jurisdiction in all cases of equity, also in all cases at law, not cognizable by inferior courts, and in all cases involving the legality of any tax, assessment or toll; of the action of ejectment and of all actions involving the titles or boundaries of real estate, and of all criminal cases not cognizable by inferior courts; and original jurisdiction of actions of forcible entry and unlawful detainer, and of such other matters as the Legislature may provide. They shall have final appellate jurisdiction in all civil and criminal cases arising in the County Court,

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or before the county judge, of all misdemeanors tried in criminal courts, of judgments or sentences of any Mayor's Court, and of all cases arising before justices of the peace in counties in which there is no County Court; and supervision and appellate jurisdiction of matters arising before county judges pertaining to their probate jurisdiction, or to the estates and interests of minors, and of such other matters as the Legislature may provide. The Circuit Courts and judges shall have power to issue writs of mandamus, injunction, quo warranto, certiorari, prohibition, habeas corpus, and all writs proper and necessary to the complete exercise of their jurisdiction.

12. V.

The Circuit Courts and Circuit judges may have such extra territorial jurisdiction in chancery cases as may be prescribed by law.

13. V.

It shall be the duty of the judges of the Circuit Courts to report to the Attorney-General, at least thirty days before each session of the Legislature, such defects in the laws as may have been brought to their attention, and to suggest such amendments or additional legislation as may be deemed necessary. The Attorney-General shall report to the Legislature at each session such legislation as he may deem advisable.

19. V.

When any civil case at law in which the judge is disqualified shall be called for trial in a Circuit or County Court, the parties may agree upon an at-

Sec. Art.

torney at law, who shall be judge ad litem, and shall preside over the trial of and make orders in said cause as if he were judge of the court. The parties may, however, transfer the cause to another Circuit Court or County Court, as the case may be, or he may have the case submitted to a referee.

28. V.

All offenses triable in said court shall be prosecuted upon information under oath, to be filed by the prosecuting attorney, but the grand jury of the Circuit Court for the county in which said Criminal Court is held may indict for offenses triable in the Criminal Court. Upon the finding of such indictment the Circuit judge shall commit or bail the accused for trial in the Criminal Court, which trial shall be upon information.

8. VIII.

There shall be seven Circuit judges, who shall be appointed by the Governor and confirmed by the Senate, and who shall hold their office for six years. The State shall be divided into seven judicial circuits, and one judge shall be assigned to each circuit. Such judge shall hold at least two terms of his court in each county within his circuit every year, at such times and places as shall be prescribed by law, and may hold special terms. The Governor may, in his discretion, order a temporary exchange of circuits by the respective judges, or order any judge to hold one or more terms or parts of terms in any other circuit than that to which he is assigned. The judge shall reside in the circuit of which he is judge. Success-

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Sec. Art.

sors to the judges of the Circuit Courts in office at the ratification of this Constitution shall be appointed and confirmed at the first session of the Legislature after such ratification.

IDAHO.

8. V.

At least four terms of the Supreme Court shall be held annually—two terms at the seat of State government, and two terms at the city of Lewiston, in Nez Perce county. In case of epidemic, pestilence or destruction of court houses, the justices may hold the terms of the Supreme Court provided by this section at other convenient places, to be fixed by a majority of said justices. After six years the Legislature may alter the provisions of this section.

ILLINOIS.

4. VI.

Terms of the Supreme Court shall continue to be held in the present grand divisions at the several places now provided for holding the same; and until otherwise provided by law, one or more terms of said court shall be held, for the northern division, in the city of Chicago each year, at such times as said court may appoint, whenever said city or the county of Cook shall provide appropriate rooms therefor, and the use of a suitable library, without expense to the State. The judicial divisions may be altered, increased or diminished in number, and the times and places of holding said courts may be changed by law.

12. VI.

The Circuit Courts shall have original jurisdiction of all causes in law and equity, and

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such appellate jurisdiction as is or may be provided by law, and shall hold two or more terms each year in every county. The terms of office of judges of Circuit Courts shall be six years.

13. VI.

The State, exclusive of the county of Cook and other counties having a population of one hundred thousand, shall be divided into judicial circuits, prior to the expiration of the terms of office of the present judges of the Circuit Courts. Such circuits shall be formed of contiguous counties, in as nearly compact form and as nearly equal as circumstances will permit, having due regard to business, territory and population, and shall not exceed in number one circuit for every one hundred thousand of population of the State. One judge shall be elected for each of said circuits by the electors thereof. New circuits may be formed and the boundaries of circuits changed by the General Assembly, at its session next preceding the election for Circuit judges, but at no other time: Provided, That the circuits may be equalized or changed at the first session of the General Assembly after the adoption of this Constitution. The creation, alteration or change of any circuit shall not affect the tenure of office of any judge. Whenever the business of the Circuit Court of any one, or of two or more contiguous counties, containing a population exceeding fifty thousand, shall occupy nine months of the year, the General Assembly may make of such county, or counties, a separate circuit. Whenever additional circuits are

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created, the foregoing limitations shall be observed.

14. VI.

The General Assembly shall provide for the times of holding court in each county, which shall not be changed, except by the General Assembly next preceding the general election for judges of said courts; but additional terms may be provided for in any county. The election for judges of the Circuit Courts shall be held on the first Monday in June, in the year of our Lord one thousand eight hundred and seventy-three, and every six years thereafter.

15. VI.

The General Assembly may divide the State into judicial circuits of greater population and territory, in lieu of the circuits provided for in section thirteen of this article, and provide for the election therein, severally, by the electors thereof, by general ticket, of not exceeding four judges, who shall hold the Circuit Courts in the circuit for which they shall be elected, in such manner as may be provided by law.

16. VI.

From and after the adoption of this Constitution, judges of the Circuit Court shall receive a salary of three thousand dollars per annum, payable quarterly, until otherwise provided by law, and after their salaries shall be fixed by law they shall not be increased or diminished during the terms for which said judges shall be, respectively, elected; and from and after the adoption of this Constitution, no judge of the Supreme or Circuit Court shall receive any other compensation, perquisite or benefit, in any form whatsoever, nor

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perform any other than judicial duties to which may belong any emoluments.

17. VI.

No person shall be eligible to the office of judge of the Circuit or any inferior court, or to membership in the "board of county commissioners," unless he shall be at least twenty-five years of age, and a citizen of the United States, nor unless he shall have resided in this State five years next preceding his election, and be a resident of the circuit, county, city, cities, or incorporated town in which he shall be elected.

23. VI.

The county of Cook shall be one judicial circuit. The Circuit Court of Cook county shall consist of five judges, until their number shall be increased as herein provided. The present judge of the Recorder's Court of the city of Chicago, and the present judge of the Circuit Court of Cook county, shall be two of said judges, and shall remain in office for the terms for which they were respectively elected, and until their successors shall be elected and qualified. The Superior Court of Chicago shall be continued and called "The Superior Court of Cook County." The General Assembly may increase the number of said judges by adding one to either of said courts for every additional fifty thousand inhabitants in said county over and above a population of four hundred thousand. The terms of office of the judges of said courts, hereafter elected, shall be six years.

32. VI.

All officers provided for in this

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article shall hold their offices until their successors shall be qualified, and they shall, respectively, reside in the division, circuit, county or district for which they may be elected or appointed. The terms of office of all such officers, where not otherwise prescribed in this article, shall be four years. All officers, where not otherwise provided for in this article, shall perform such duties and receive such compensation as is or may be provided by law. Vacancies in such elective offices shall be filled by election; but where the unexpired term does not exceed one year, the vacancy shall be filled by appointment, as follows: Of judges, by the Governor; of clerks of courts, by the court to which the office appertains, or by the judge or judges thereof; and of all such other offices, by the board of supervisors or board of county commissioners in the county where the vacancy occurs.

INDIANA.

8. VII.

The Circuit Courts shall each consist of one judge, and shall have such civil and criminal jurisdiction as may be prescribed by law.

9. VII.

The State shall, from time to time, be divided into judicial circuits, and a judge for each circuit shall be elected by the voters thereof. He shall reside within the circuit, and shall hold his office for the term of six years, if he so long behave well.

10. VII.

The General Assembly may provide, by law, that the judge of one circuit may hold the

Sec. Art.

courts of another circuit, in cases of necessity or convenience; and in case of temporary inability of any judge, from sickness or other cause, to hold the courts in his circuit, provision may be made, by law, for holding such courts.

KENTUCKY.

125.

A Circuit Court shall be established in each county now existing, or which may hereafter be created, in this Commonwealth.

128.

At its first session after the adoption of this Constitution, the General Assembly, having due regard to territory, business and population, shall divide the State into a sufficient number of judicial districts to carry into effect the provisions of this Constitution concerning Circuit Courts. In making such apportionment no county shall be divided, and the number of said districts, excluding those in counties having a population of one hundred and fifty thousand, shall not exceed one district for each sixty thousand of the population of the entire State.

129.

The General Assembly shall, at the same time the judicial districts are laid off, direct elections to be held in each district to elect a judge therein. The first election of judges of the Circuit Courts under this Constitution shall take place at the annual election in the year eighteen hundred and ninety-two, and the judges then elected shall enter upon the discharge of the duties of their respective offices on the first Monday in January after their

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election, and hold their offices five years, and until their successors are elected and qualified. At the general election in eighteen hundred and ninety-seven, and every six years thereafter, there shall be an election for judges of the Circuit Courts, who shall hold their offices for six years from the first Monday in January succeeding their election. They shall be commissioned by the Governor, and continue in office until their successors shall have been qualified, but shall be removed in the same manner as the judges of the Court of Appeals. The removal of a judge from his district shall vacate his office.

130.

No person shall be eligible as judge of the Circuit Court who is less than thirty-five years of age when elected, who is not a citizen of Kentucky, and a resident of the district in which he may be a candidate two years next preceding his election, and who has not been a practicing lawyer eight years.

131.

There shall be at least three regular terms of Circuit Court held in each county every year.

133.

The judges of the Circuit Court shall, at stated times, receive for their services an adequate compensation to be fixed by law, which shall be equal and uniform throughout the State, so far as the same shall be paid out of the State treasury.

137.

Each county having a population of one hundred and fifty thousand or over, shall constitute a district, which shall be entitled to four judges. Additional judges for said district may,

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from time to time, be authorized by the General Assembly, but not to exceed one judge for each increase of forty thousand of population in said county, to be ascertained by the last enumeration. Each of the judges in such a district shall hold a separate court, except when a General Term may be held for the purpose of making rules of court, or as may be required by law: Provided, No General Term shall have power to review any order, decision or proceeding by any branch of the court in said district made in separate term. There shall be one clerk for such district who shall be known as the clerk of the Circuit Court. Criminal causes shall be under the exclusive jurisdiction of some one branch of said court, and all other litigation in said district, of which the Circuit Court may have jurisdiction, shall be distributed as equally as may be between the other branches thereof, in accordance with the rules of the court made in General Term, or as may be prescribed by law.

248.

A grand jury shall consist of twelve persons, nine of whom concurring, may find an indictment. In civil and misdemeanor cases, in courts inferior to the Circuit Courts, a jury shall consist of six persons. The General Assembly may provide that in any or all trials of civil actions in the Circuit Courts, three-fourths or more of the jurors concurring may return a verdict, which shall have the same force and effect as if rendered by the entire panel. But where a verdict is rendered by a less number than the whole jury, it shall be sign-

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ed by all the jurors who agree to it.

LOUISIANA.

97.

The State, with the exception of the parish of Orleans, shall be divided into five circuits, from each of which two judges shall be elected. Until otherwise provided by law, the parishes of Caddo, Bossier, Webster, Bienville, De Soto, Red River, Claiborne, Union, Lincoln, Natchitoches, Sabine, Jackson, Winn and Caldwell shall compose the first circuit.

The parishes of Ouachita, Richland, Morehouse, West Carroll, Catahoula, Franklin, Madison, East Carroll, Concordia, and Tensas shall compose the second district.

The parishes of Rapides, Grant, Avoyelles, St. Landry, Vernon, Calcasieu, Cameron, Lafayette, Vermillion, St. Martin and Iberia shall compose the third circuit.

The parishes of East Baton Rouge, West Baton Rouge, Iberville, East Feliciana, St. Helena, Tangipahoa, Livingston, St. Tammany, Washington, Pointe Coupee and West Feliciana shall compose the fourth circuit.

And the parishes of St. Mary, Terrebonne, Ascension, Lafourche, Assumption, Plaquemines, St. Bernard, Jefferson, St. Charles, St. John the Baptist and St. James shall compose the fifth circuit.

99.

Until otherwise provided by law, the terms of the Circuit Courts of Appeal shall be as follows:

First Circuit.

Caddo—First Mondays in January and June.

Bossier—Third Mondays in January and June.

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Webster—First Mondays in February and July.

Bienville—Second Mondays in February and July.

Claiborne—Third Mondays in February and July.

Union—First Mondays in March and October.

Lincoln—Second Mondays in March and October.

Jackson—Third Mondays in March and October.

Caldwell—Fourth Mondays in March and October.

Winn—First Mondays in April and November.

Natchitoches—Second Mondays in April and November.

Sabine—Fourth Mondays in April and November.

De Soto—First Mondays in May and December.

Red River—Third Mondays in May and December.

Second Circuit.

Ouachita—First Mondays in January and June.

Richland—Fourth Mondays in January and June.

Franklin—First Mondays in February and July.

Catahoula—Second Mondays in February and July.

Concordia—Fourth Mondays in February and July.

Tensas—Second Mondays in March and October.

Madison—Fourth Mondays in March and October.

East Carroll—Second Mondays in April and November.

West Carroll—Fourth Mondays in April and November.

Morehouse—First Mondays in May and December.

Third Circuit.

St. Landry—First Mondays in January and June.

Avoyelles—Fourth Mondays in January and June.

Rapides—Second Mondays in February and July.

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Grant—Fourth Mondays in February and July.

Vernon—First Mondays in March and October.

Calcasieu—Second Mondays in March and October.

Cameron—Fourth Mondays in March and October.

Vermillion—First Mondays in April and November.

Lafayette—Second Mondays in April and November.

Iberia—Fourth Mondays in April and November.

St. Martin—Second Mondays in May and December.

Fourth Circuit.

East Baton Rouge—First Mondays in January and June.

West Baton Rouge—Fourth Mondays in January and June.

Livingston—First Mondays in February and July.

Tangipahoa—Second Mondays in February and July.

St. Tammany—Fourth Mondays in February and July.

Washington—First Mondays in March and October.

St. Helena—Second Mondays in March and October.

East Feliciana—Fourth Mondays in March and October.

West Feliciana—Second Mondays in April and November.

Pointe Coupee—Fourth Mondays in April and November.

Iberville—Second Mondays in May and December.

Fifth Circuit.

St. Mary—First Mondays in January and June.

Terrebonne—Third Mondays in January and June.

Assumption—First Mondays in February and July.

Lafourche—Third Mondays in February and July.

St. Charles—First Mondays in March and October.

Jefferson—Second Mondays in March and October.

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St. Bernard—Fourth Mondays in March and October.

Plaquemines—First Mondays in April and November.

St. John the Baptist—Second Mondays in April and November.

St. James—Third Mondays in April and November.

Ascension—Second Mondays in May and December.

MARYLAND.

11. IV.

The election for judges, hereinbefore provided, and all elections for clerks, registers of wills, and other offices provided in this Constitution, except State's attorneys, shall be certified, and the returns made by the clerks of the Circuit Courts for the counties, and the clerk of the Superior Court of Baltimore city, respectively, to the Governor, who shall issue commissions to the different persons for the offices to which they shall have been respectively elected; and in all such elections the persons having the greatest number of votes shall be declared to be elected.

20. IV.

A court shall be held in each county of the State, to be styled the Circuit Court for the county in which it may be held. The said Circuit Courts shall have and exercise, in the respective counties, all the power, authority and jurisdiction, original and appellate, which the present Circuit Courts of this State now have and exercise, or which may hereafter be prescribed by law.

21. IV.

For each of the said circuits (excepting the eighth) there shall be a chief judge and two asso-

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ciate judges, to be styled judges of the Circuit Court, to be elected or appointed, as herein provided. And no two of said associate judges shall, at the time of their election or appointment, or during the term for which they may have been elected or appointed, reside in the same county. If two or more persons shall be candidates for associate judge in the same county, that one only in said county shall be declared elected who has the highest number of votes in the circuit. In case any two candidates for associate judge, residing in the same county, shall have an equal number of votes greater than any other candidate for associate judge in the circuit, it shall be the duty of the Governor to order a new election for one associate judge; but the person, residing in any other county of the circuit, and who has the next highest number of votes shall be declared elected. The said judges shall hold not less than two terms of the Circuit Court in each of the counties composing their respective circuits, at such times as are now or may hereafter be prescribed, to which jurors shall be summoned; and in those counties, where only two such terms are held, two other and intermediate terms, to which jurors shall not be summoned; they may alter or fix the times for holding any or all terms until otherwise prescribed, and shall adopt rules to the end that all business not requiring the interposition of a jury shall be, as far as practicable, disposed of at said intermediate term. One judge in each of the above circuits shall constitute a quorum for the transaction of any

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business; and the said judges, or any of them, may hold special terms of their courts whenever, in their discretion, the business of the several counties renders such terms necessary.

22. IV.

Where any term is held, or trial conducted by less than the whole number of circuit judges, upon the decision or determination of any point or question by the court, it shall be competent to the party against whom the ruling or decision is made, upon motion, to have the point or question reserved for the consideration of the three judges of the circuit, who shall constitute a court in banc for such purpose; and the motion for such reservation shall be entered of record, during the sitting, at which such decision may be made; and the several Circuit Courts shall regulate, by rules, the mode and manner of presenting such points or questions to the court in banc, and the decision of said court in banc shall be the effective decision in the premises, and conclusive, as against the party at whose motion said points or questions were reserved; but such decision in banc shall not preclude the right of appeal or writ of error to the adverse party. In those cases, civil or criminal, in which appeal or writ of error to the Court of Appeals may be allowed by law. The right of having questions reserved shall not, however, apply to trials of appeals from judgments of justices of the peace, nor to criminal cases below the grade of felony, except when the punishment is confinement in the penitentiary; and this section shall be subject

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to such provisions as may hereafter be made by law.

23. IV.

The judges of the respective Circuit Courts of this State, and of the courts of Baltimore city, shall render their decisions, in all cases argued before them, or submitted for their judgment, within two months after the same shall have been so argued or submitted.

29. IV.

The Circuit Court of Baltimore City shall have exclusive jurisdiction in equity within the limits of said city, and all such jurisdiction as the present Circuit Court of Baltimore city has: Provided, The said court shall not have jurisdiction in applications for the writ of habeas corpus in cases of persons charged with criminal offenses.

30. IV.

The Criminal Court of Baltimore shall have and exercise all the jurisdiction now held and exercised by the Criminal Court of Baltimore, except in such appeal cases as are herein assigned to the Baltimore City Court.

5. IV.

After the election for judge, as hereinbefore provided, there shall be held in this State, in every fifteenth year thereafter, on the Tuesday after the first Monday in November of such year, an election for judges as herein provided; and in case of death, resignation, removal or disqualification by reason of age or otherwise of any judge, the Governor shall appoint a person duly qualified to fill said office, who shall hold the same until the next general election for members of the

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General Assembly, when a successor shall be elected, whose term of office shall be the same as herein provided; and upon the expiration of the term of fifteen years for which any judge may be elected to fill a vacancy, an election for his successor shall take place at the next general election for members of the General Assembly to occur upon or after the expiration of said term; and the Governor shall appoint a person duly qualified to hold said office from the expiration of such term of fifteen years until the election and qualification of his successor.

MICHIGAN.

4. VI.

The terms of the Supreme Court shall be held annually, at such times and places as may be designated by law.

6. VI.

The State shall be divided into judicial circuits, in each of which the electors thereof shall elect one circuit judge, who shall hold his office for the term of six years, and until his successor is elected and qualified. The Legislature may provide for the election of more than one circuit judge in the judicial circuit in which the city of Detroit is or may be situated, and in the judicial circuit in which the county of Saginaw is or may be situated, and in the judicial circuit in which the county of Kent is or may be situated. And the circuit judge or judges of said circuits, in addition to the salary provided by this Constitution, shall receive from their respective counties such additional salary as may from time to time be fixed and determined by the boards of supervisors of said counties. And the board of su-

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Supervisors of each county in the Upper Peninsula is hereby authorized and empowered to give and pay to the circuit judge of the judicial circuit to which such county is attached such additional salary or compensation as may from time to time be fixed and determined by such board of supervisors.

This section, as amended, shall take effect from the time of its adoption.

7. VI.

The Legislature may alter the limits of circuits, or increase the number of the same. No alteration or increase shall have the effect to remove a judge from office. In every additional circuit established, the judge shall be elected by the electors of such circuit and his term of office shall continue, as provided in this Constitution for judges of the Circuit Court.

11. VI.

A Circuit Court shall be held at least twice in each year in every county organized for judicial purposes, and four times in each year in counties containing ten thousand inhabitants. Judges of the Circuit Court may hold courts for each other, and shall do so when required by law.

14. VI.

When a vacancy occurs in the office of judge of the Supreme, Circuit or Probate Court, it shall be filled by appointment of the Governor, which shall continue until a successor is elected and qualified. When elected, such successor shall hold his office the residue of the unexpired term.

16. VI.

The Legislature may provide by law for the election of one or more persons in each organized county, who may be vested with

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Judicial powers, not exceeding those of a judge of the Circuit Court at chambers.

20. VI.

The first election of judges of the Circuit Courts shall be held on the first Monday in April, one thousand eight hundred and fifty-one, and every sixth year thereafter. Whenever an additional circuit is created, provisions shall be made to hold the subsequent election of such additional judge at the regular elections herein provided.

29.

The State, exclusive of the Upper Peninsula, shall be divided into eight judicial circuits, and the counties of Monroe, Lenawee and Hillsdale shall constitute the first circuit; the counties of Branch, St. Joseph, Cass and Berrien shall constitute the second circuit; the county of Wayne shall constitute the third circuit; the counties of Washtenaw, Jackson and Ingham shall constitute the fourth circuit; the counties of Calhoun, Kalamazoo, Allegan, Eaton and Van Buren shall constitute the fifth circuit; the counties of St. Clair, Macomb, Oakland and Sanilac shall constitute the sixth circuit; the counties of Lapeer, Genesee, Saginaw, Shiawassee, Livingston, Tuscola and Midland shall constitute the seventh circuit; and the counties of Barry, Kent, Ottawa, Ionia, Clinton and Montcalm shall constitute the eighth circuit.

Done in Convention at the capitol of the State, this fifteenth day of August, in the year of our Lord one thousand eight hundred and fifty, and of the Independence of the United States the seventy-fifth.

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MINNESOTA.**10. VI.**

In case the office of any judge become vacant before the expiration of the regular term for which he was elected, the vacancy shall be filled by appointment by the Governor, until a successor is elected and qualified. And such successor shall be elected at the first annual election that occurs more than thirty days after the vacancy shall have happened.

MISSISSIPPI.**148. VI.**

The Supreme Court will be held twice in each year at the seat of government, at such time as the Legislature may provide.

153. VI.

The judges of the Circuit Courts and of the Chancery Courts shall be appointed by the Governor, with the advice and consent of the Senate, and shall hold their offices for the term of four years.

156. VI.

The Circuit Court shall have original jurisdiction in all matters civil and criminal in this State not vested by this Constitution in some other court, and such appellate jurisdiction as shall be prescribed by law.

154. VI.

No person shall be eligible to the office of judge of the Circuit Court or of the Chancery Court, who shall not have been a practicing lawyer for five years, and who shall not have attained the age of twenty-six years, and who shall not have been five years a citizen of this State.

157. VI.

All causes that may be brought in the Circuit Court whereof the Chancery Court has exclusive jurisdiction shall be transferred to the Chancery Court.

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158. VI.

A Circuit Court shall be held in each county at least twice in each year, and the judges of said courts may interchange circuits with each other in such manner as may be provided by law.

MISSOURI.**9. VI.**

The Supreme Court shall be held at the seat of government at such times as may be prescribed by law; and until otherwise directed by law, the terms of said court shall commence on the third Tuesday in October and April of each year.

22. VI.

The Circuit Court shall have jurisdiction over all criminal cases not otherwise provided for by law, exclusive original jurisdiction in all civil cases not otherwise provided for, and such concurrent jurisdiction with and appellate jurisdiction from inferior tribunals and justices of the peace as is or may be provided by law. It shall hold its terms at such times and places in each county as may be by law directed; but at least two terms shall be held every year in each county.

23. VI.

The Circuit Court shall exercise a superintending control over criminal courts, probate courts, county courts, municipal corporation courts, justices of the peace, and all inferior tribunals in each county in their respective circuits.

24. VI.

The State, except as otherwise provided in this Constitution, shall be divided into convenient circuits of contiguous counties, in each of which circuits one circuit judge shall be elected; and such circuits may be

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changed, enlarged, diminished or abolished, from time to time, as public convenience may require; and whenever a circuit shall be abolished, the office of the judge of such circuit shall cease.

25. VI.

The judges of the Circuit Courts shall be elected by the qualified voters of each circuit; shall hold their offices for the term of six years, and shall reside in and be conservators of the peace within their respective circuits.

26. VI.

No person shall be eligible to the office of judge of the Circuit Court who shall not have attained the age of thirty years, been a citizen of the United States five years, a qualified voter of this State for three years, and who shall not be a resident of the circuit in which he may be elected or appointed.

27. VI.

The Circuit Court of St. Louis county shall be composed of five judges, and such additional number as the General Assembly may, from time to time, provide. Each of said judges shall sit separately for the trial of causes and the transaction of business in Special Term. The judges of said Circuit Court may sit in General Term, for the purpose of making rules of court, and for the transaction of such other business as may be provided by law, at such time as they may determine; but shall have no power to review any order, decision or proceeding of the court in Special Term. The St. Louis Court of Appeals shall have exclusive jurisdiction of all appeals from and writs of error to the Circuit Courts of St.

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Charles, Lincoln and Warren counties, and the Circuit Court of St. Louis county, in Special Term, and all courts of record having criminal jurisdiction in said counties.

28. VI.

In any circuit composed of a single county, the General Assembly may, from time to time, provide for one or more additional judges, as the business shall require; each of whom shall separately try cases and perform all other duties imposed upon circuit judges.

29. VI.

If there be a vacancy in the office of judge of any circuit, or if the judge be sick, absent, or from any cause unable to hold any term or part of term of court, in any county in his circuit, such term, or part of term, of court may be held by a judge of any other circuit; and at the request of the judge of any circuit, any term of court, or part of term, in his circuit may be held by the judge of any other circuit; and in all such cases, or in any case where the judge cannot preside, the General Assembly shall make such additional provision for holding court as may be found necessary.

32. VI.

In case the office of judge of any court of record become vacant by death, resignation, removal, failure to qualify, or otherwise, such vacancy shall be filled in the manner prescribed by law.

MONTANA.

34. VIII.

Vacancies in the office of justice of the Supreme Court, or judge of the District Court, or clerk of the Supreme Court, shall be filled by appointment, by the Governor of the

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State, and vacancies in the offices of county attorneys, clerk of the District Court, and justices of the peace, shall be filled by appointment by the board of county commissioners of the county where such vacancy occurs. A person appointed to fill any such vacancy shall hold his office until the next general election, and until his successor is elected and qualified. A person elected to fill a vacancy shall hold office until the expiration of the term for which the person he succeeds was elected. ;

4. VIII.

At least three terms of the Supreme Court shall be held each year at the seat of government.

NEBRASKA.

3. VI.

At least two terms of the Supreme Court shall be held each year at the seat of government.

NEVADA.

7. VI.

The times of holding the Supreme Court and the District Courts shall be as fixed by law. The terms of the Supreme Court shall be held at the seat of government, and the terms of the District Courts shall be held at the county seats of their respective counties: Provided, That in case any county shall be hereafter divided into two or more districts, the Legislature may, by law, designate the place of holding courts in such districts.

15.

The terms of the Supreme Court shall, until provision be made by law, be held at such times as the judges of the said court, or a majority of them, may appoint. The first terms of the several District Courts (except as hereinafter mentioned) shall

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commence on the first Monday of December, A. D., eighteen hundred and sixty-four. The first term of the District Court in the Fifth judicial district shall commence on the first Monday of December, A. D. eighteen hundred and sixty-four, in the county of Nye, and shall commence on the first Monday of January, A. D. eighteen hundred and sixty-five in the county of Churchill. The terms of the fourth judicial district court shall, until otherwise provided by law, be held at the county seat of Washoe county, and the first term thereof commence on the first Monday of December, A. D. eighteen hundred and sixty-four.

22. XVII.

In case the office of any justice of the Supreme Court, District Judge, or other State officer shall become vacant before the expiration of the regular term for which he was elected, the vacancy may be filled by appointment by the Governor, until it shall be supplied at the next general election, when it shall be filled by election for the residue of the unexpired term.

NORTH CAROLINA.

25. IV.

All vacancies occurring in the offices provided for by this article of the Constitution shall be filled by the appointments of the Governor, unless otherwise provided for, and the appointees shall hold their places until the next regular election for members of the General Assembly, when elections shall be held to fill such offices. If any person, elected or appointed to any of said offices, shall neglect and fail to qualify, such offices shall be appointed to, held and filled as provided in case of vacancies occurring

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therein. All incumbents of said offices shall hold until their successors are qualified.

7. IV.

The terms of the Supreme Court shall be held in the city of Raleigh as now, unless otherwise provided by the General Assembly.

14. IV.

The General Assembly shall provide for the establishment of special courts, for the trial of misdemeanors, in cities and towns where the same may be necessary.

NORTH DAKOTA.

88. IV.

Until otherwise provided by law, three terms of the Supreme Court shall be held each year, one at the seat of government, one at Fargo, in the county of Cass, and one at Grand Forks, in the county of Grand Forks.

98. IV.

Any vacancy happening by death, resignation or otherwise in the office of judge of the Supreme Court shall be filled by appointment by the Governor, which appointment shall continue until the first general election thereafter, when said vacancy shall be filled by election.

118. IV.

Until the Legislative Assembly shall provide by law for fixing the terms of courts, the judges of the Supreme and District Courts shall fix the terms thereof.

OHIO.

6. IV.

The Circuit Court shall have like original jurisdiction with the Supreme Court, and such appellate jurisdiction as may be provided by law. Such courts shall be com-

Sec. Art.

posed of such numbers of judges as may be provided by law, and shall be held in each county at least once in each year. The number of circuits, and the boundaries thereof, shall be prescribed by law. Such judges shall be elected in each circuit by the electors thereof, and at such time and for such term as may be prescribed by law, and the same number shall be elected in each circuit. Each judge shall be competent to exercise his judicial powers in any circuit. The General Assembly may change, from time to time, the number or boundaries of the circuits.

13. IV.

In case the office of any judge shall become vacant before the expiration of the regular term for which he was elected, the vacancy shall be filled by appointment by the Governor, until a successor is elected and qualified; and such successor shall be elected for the unexpired term at the first annual election that occurs more than thirty days after the vacancy shall have happened.

OREGON.

4. VII.

Every vacancy in the office of judge of the Supreme Court shall be filled by election for the remainder of the vacant term, unless it would expire at the next election, and until so filled, or when it would expire, the Governor shall fill the vacancy by appointment.

7. VII.

The terms of the Supreme Court shall be appointed by law; but there shall be one term at the seat of government annually. And at the close of each term

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the judges shall file with the Secretary of State, concise written statements of the decisions made at that term.

8. VII.

The Circuit Court shall be held twice, at least, in each year, in each county organized for judicial purposes, by one of the justices of the Supreme Court, at times to be appointed by law; and at such other times as may be appointed by the judges severally, in pursuance of law.

9. VII.

All judicial power, authority and jurisdiction not vested by this Constitution, or by laws consistent therewith exclusively in some other court, shall belong to the Circuit Courts; and they shall have appellate jurisdiction and supervisory control over the County Courts, and all other inferior courts, officers and tribunals.

PENNSYLVANIA.**25. V.**

Any vacancy happening by death, resignation or otherwise, in any court of record, shall be filled by appointment by the Governor, to continue till the first Monday of January next succeeding the first general election, which shall occur three or more months after the happening of such vacancy.

RHODE ISLAND.**5. X.**

In case of vacancy by death, resignation, removal from the State or from office, refusal or inability to serve, of any judge of the Supreme Court, the office may be filled by the grand committee, until the next annual election, and the judge then elected shall hold his office as

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before provided. In cases of impeachment or temporary absence, or inability, the Governor may appoint a person to discharge the duties of the office during the vacancy caused thereby.

SOUTH CAROLINA.**5. IV.**

The Supreme Court shall be held at least once in each year at the seat of government, and at such other place or places in the State as the General Assembly may direct.

11. IV.

All vacancies in the Supreme Court or other inferior tribunals shall be filled by elections as herein provided: Provided, That if the unexpired term does not exceed one year such vacancy may be filled by executive appointment. All judges, by virtue of their office, shall be conservators of the peace throughout the State.

13. IV.

The State shall be divided into convenient circuits, and for each circuit a judge shall be elected by joint ballot of the General Assembly, who shall hold his office for a term of four years, and during his continuance in office he shall reside in the circuit of which he is judge.

14. IV.

Judges of the Circuit Court shall interchange circuits with each other in such manner as may be determined by law.

SOUTH DAKOTA.**4. V.**

At least two terms of the Supreme Court shall be held each year at the seat of government.

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14. V.

The Circuit Courts have original jurisdiction of all actions and cases, both in law and in equity and such appellate jurisdiction as may be conferred by law and consistent with this Constitution; such jurisdiction as to value and amount and grade of offenses may be limited by law. They and the judges thereof shall also have jurisdiction and power to issue writs of habeas corpus mandamus, quo warranto, certiorari, injunction, and other original and remedial writs, with authority to hear and determine the same.

15. V.

The State shall be divided into judicial circuits, in each of which there shall be elected by the electors thereof one judge of the Circuit Court therein, whose term of office shall be four years.

16. V.

Until otherwise ordered by law, said circuits shall be eight in number and constituted as follows, viz.:

First Circuit.

The counties of Union, Clay, Yankton, Turner, Bon Homme, Hutchinson, Charles, Mix, Douglas, Todd, Gregory, Tripp and Meyer.

Second Circuit.

The counties of Lincoln, Minnehaha, McCook, Moody and Lake.

Third Circuit.

The counties of Bookings, Kingsbury, Deuel, Hamlin, Codington, Clark, Grant, Roberts, Day, and the Wahpeton and Sisseton reservation, except such portion of said reservation as lies in Marshall county.

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Fourth Circuit.

The counties of Sanborn, Davison, Aurora, Brule, Buffalo, Jerauld, Hanson, Miner, Lyman, Presho, and Pratt.

Fifth Circuit.

The counties of Beadle, Spink, Brown and Marshall.

Sixth Circuit.

The counties of Hand, Hyde, Hughes, Sully, Stanley, Potter, Faulk, Edmunds, Walworth, Campbell, McPherson, and all that portion of said State lying east of the Missouri river and not included in any other judicial circuit.

Seventh Circuit.

The counties of Pennington, Custer, Fall River, Shannon, Washington, Ziebach, Sterling, Nowlin, Jackson, Washabaugh and Lugenbeel.

Eighth Circuit.

The counties of Lawrence, Meade, Scobey, Butte, Delano, Pyatt, Dewey, Boreman, Schnasse, Rinehart, Martin, Choteau, Ewing, Harding, and all that portion of said State west of the Missouri river and north of the Big Cheyenne river and the north fork of the Cheyenne river not included in any other judicial circuit.

17. V.

The Legislature may, whenever two-thirds of the members of each house shall concur therein, increase the number of judicial circuits and the judges thereof, and divide the State into judicial circuits accordingly, taking care that they be formed of compact territory and be bounded by county lines; but such increase of number or change in the boundaries of districts shall not work the removal of any judge from his

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office during the term for which he shall have been elected or appointed.

25. V.

No person shall be eligible to the office of judge of the Circuit or County Courts, unless he be learned in the law, be at least twenty-five years of age, and a citizen of the United States; nor unless he shall have resided in this State or territory at least one year next preceding his election, and at the time of his election be a resident of the county or circuit, as the case may be, for which he is elected.

27. V.

The time of holding courts within said judicial circuits and counties shall be as provided by law; but at least one term of the Circuit Court shall be held annually in each organized county, and the Legislature shall make provision for attaching unorganized counties or territory to organized counties for judicial purposes.

29. V.

The judges of the Circuit Courts may hold courts in other circuits than their own, under such regulations as may be prescribed by law.

33. V.

Until the Legislature shall provide by law for fixing the terms of court, the judges of the Supreme, Circuit and County Courts respectively shall fix the terms thereof.

TENNESSEE.**4. VI.**

The judges of the Circuit and Chancery Courts, and of other inferior courts, shall be elected by the qualified voters of the district or circuit to which they are to be assigned. Every judge

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of such courts shall be thirty years of age, and shall, before his election, have been a resident of the State for five years, and of the circuit or district one year. His term of service shall be eight years.

8. VI.

The jurisdiction of the Circuit, Chancery and other inferior courts shall be as now established by law, until changed by the Legislature.

TEXAS.**28. V.**

Vacancies in the office of judges of the Supreme Court, the Court of Criminal Appeals, the Court of Civil Appeals, and the District Courts, shall be filled by the Governor, until the next succeeding general election, and vacancies in the office of county judge and justices of the peace shall be filled by the Commissioners' Court until the next general election for such offices.

VIRGINIA.**9. VI.**

The State shall be divided into sixteen judicial circuits, as follows:

1. The counties of Norfolk, Princess Anne, Nansemond, Isle of Wight, Southampton, Surry and the city of Norfolk shall constitute the first circuit.
2. The counties of Sussex, Greensville, Brunswick, Prince George, Dinwiddie, Notoway, Chesterfield and the city of Petersburg shall constitute the second circuit.
3. The counties of Mecklenburg, Lunenburg, Charlotte, Amelia, Powhatan, Prince Edward, Buckingham and Cumberland shall constitute the third circuit.
4. The counties of Halifax, Pittsylvania, Henry, Patrick,

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Franklin and the town of Danville shall constitute the fourth circuit.

5. The counties of Bedford, Campbell, Appomattox, Amherst, Nelson and the city of Lynchburg shall constitute the fifth circuit.
6. The counties of Albemarle, Fluvanna, Culpepper, Goochland, Madison, Greene and Orange shall constitute the sixth circuit.
7. The county of Henrico and the city of Richmond shall constitute the seventh circuit.
8. The counties of Accomac, Northampton, York, Elizabeth city, Warwick, James city, New Kent, Charles city and the city of Williamsburg shall constitute the eighth circuit.
9. The counties of Lancaster, Northumberland, Mathews, Middlesex, Gloucester, King William, Essex, and King and Queen shall constitute the ninth circuit.
10. The counties of Westmoreland, Spotsylvania, Caroline, Hanover, Stafford, King George, Richmond and Louisa shall constitute the tenth circuit.
11. The counties of Loudoun, Fauquier, Fairfax, Prince William, Rappahannock and Alexandria shall constitute the eleventh circuit.
12. The counties of Frederick, Clarke, Warren, Page, Shenandoah and Rockingham shall constitute the twelfth circuit.
13. The counties of Augusta, Rockbridge, Bath, Highland and Allegany shall constitute the thirteenth circuit.
14. The counties of Botetourt, Roanoke, Montgomery, Floyd, Giles and Craig shall constitute the fourteenth circuit.
15. The counties of Carroll, Grayson, Wythe, Pulaski, Bland

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and Tazewell shall constitute the fifteenth circuit.

16. The counties of Smyth, Washington, Lee, Scott, Wise, Russell and Buchanan shall constitute the sixteenth circuit.

10. VI.

The General Assembly may rearrange said circuits, or any of them, and increase or diminish the number thereof when the public interests shall require it.

11. VI.

For each circuit a judge shall be chosen by the joint vote of the two houses of the General Assembly, who shall hold his office for a term of eight years, unless sooner removed in the manner prescribed by this Constitution. He shall, when chosen, possess the same qualifications of judges of the Supreme Court of Appeals; and during his continuance in office shall reside in the circuit of which he is judge.

12. VI.

A Circuit Court shall be held at least twice a year by the judges of each circuit in every county and corporation thereof wherein a Circuit Court now is or may hereafter be established. But the judges may be required or authorized to hold the courts of their respective circuits alternately. and the judge of one circuit to hold court in any other circuit.

WEST VIRGINIA.

9. VIII.

There shall be at least two terms of the Supreme Court of Appeals held annually at such times and places as may be prescribed by law.

10. VIII.

The State shall be divided into thirteen circuits. For the circuit hereinafter called the first, two judges shall be elected, and

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for each of the other circuits one judge shall be elected by the voters thereof. Each of the judges so elected shall hold his office for the term of eight years, unless sooner removed, in the manner prescribed in this Constitution. The judges of the Circuit Courts in office when this article takes effect shall remain therein until the expiration of the term for which they have been elected in the circuits in which they may respectively reside, unless sooner removed, as aforesaid. A vacancy in the office of a judge of the Circuit Court shall be filled in the same manner as is provided for in the case of a vacancy in the office of a judge of the Supreme Court of Appeals. During his continuance in office the judge of the Circuit Court shall reside in the circuit in which he is judge. The business of the first circuit may be apportioned between the judges thereof, and such judges may hold courts in the same county or in different counties within the circuit at the same time or at different times, as may be prescribed by law.

11. VIII.

A Circuit Court shall be held in every county in the State at least three times in each year, and provisions may be made by law for holding special terms of said court. A judge of any circuit may hold the courts in another circuit.

12. VIII.

The Circuit Court shall have the supervision and control of all proceedings before justices and other inferior tribunals, by mandamus, prohibition and certiorari. They shall, except in cases confined exclusively by

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this Constitution to some other tribunal, have original and general jurisdiction of all matters at law where the amount in controversy, exclusive of interest, exceeds fifty dollars; of all cases of habeas corpus, mandamus, quo warranto, and prohibition, and of all cases in equity, and of all crimes and misdemeanors. They shall have appellate jurisdiction in all cases, civil and criminal, where an appeal, writ of error or supersedeas may be allowed to the judgment or proceedings of any inferior tribunal. They shall also have such other jurisdiction, whether supervisory, original, appellate or concurrent, as is or may be prescribed by law.

13. VIII.

Unless otherwise provided by law, the State shall be divided into the following circuits: The counties of Brooke, Hancock, Ohio and Marshall shall constitute the first circuit; the counties of Monongalia, Marion and Harrison, the second; the counties of Preston, Taylor, Barbour, Tucker and Randolph, the third; the counties of Wetzel, Tyler, Ritchie and Doddridge, the fourth; the counties of Wood, Wirt and Pleasants, the fifth; the counties of Clay, Gilmer, Jackson, Roane and Calhoun, the sixth; the counties of Putnam, Kanawha and Mason, the seventh; the counties of Cabell, Wayne, Lincoln and Logan, the eighth; the counties of McDowell, Mercer, Raleigh, Wyoming and Boone, the ninth; the counties of Greenbrier, Monroe, Summers, Fayette and Pocahontas, the tenth; the counties of Upshur, Lewis, Braxton, Nicholas and Webster, the eleventh; the

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counties of Grant, Hardy, Hampshire, Mineral and Pendleton, the twelfth; the counties of Jefferson, Berkeley and Morgan, the thirteenth.

14. VIII.

The Legislature may rearrange the circuits herein provided for at any session thereof next preceding any general election of the judges of said circuits, and after the year one thousand eight hundred and eighty-eight may, at any such session, increase or diminish the number thereof.

15. VIII.

The Legislature shall provide by law for holding regular and special terms of the Circuit Courts, where, from any cause, the judge shall fail to attend, or, if in attendance, cannot properly preside.

21. VIII.

Such parts of the common law, and of the laws of this State, as are in force when this article goes into operation, and are not repugnant thereto, shall be and continue the law of the State until altered or repealed by the Legislature. All civil and criminal suits and proceedings pending in the former Circuit Courts of this State shall remain to be proceeded in before the Circuit Courts of the counties in which they were pending.

WEST VIRGINIA.

7. VIII.

If from any cause a vacancy shall occur in the Supreme Court of Appeals, the Governor shall issue a writ of election to fill such vacancy at the next general election for the residue of the term, and in the meantime he shall fill such vacancy by appointment

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until a judge is elected and qualified. But if the unexpired term be less than two years the Governor shall fill such vacancy by appointment for the unexpired term.

WISCONSIN.

9. VI.

When a vacancy shall happen in the office of judge of the Supreme or Circuit Courts, such vacancy shall be filled by an appointment of the Governor, which shall continue until a successor is elected and qualified; and when elected, such successor shall hold his office the residue of the unexpired term. There shall be no election for a judge or judges at any general election for State or county officers, nor within thirty days either before or after such election.

5. VII.

The State shall be divided into five judicial circuits, to be composed as follows: The first circuit shall comprise the counties of Racine, Walworth, Rock and Green; the second circuit, the counties of Milwaukee, Waukesha, Jefferson and Dane; the third circuit, the counties of Washington, Dodge, Columbia, Marquette, Sauk and Portage; the fourth circuit, the counties of Brown, Manitowoc, Sheboygan, Fond du Lac, Winnebago and Calumet; and the fifth circuit shall comprise the counties of Iowa, La Fayette, Grant, Crawford, and St. Croix; and the county of Richmond shall be attached to Iowa, the county of Chippewa to the county of Crawford, and the county of La Pointe to the county of St. Croix, for judicial purposes, until otherwise provided by the Legislature.

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6. VII.

The Legislature may alter the limits, or increase the number of circuits, making them as compact and convenient as practicable, and bounding them by county lines; but no such alteration or increase shall have the effect to remove a judge from office. In case of an increase of circuits, the judge or judges shall be elected as provided in this Constitution, and receive a salary not less than that herein provided for judges of the Circuit Court.

7. VII.

For each circuit there shall be a judge chosen by the qualified electors therein, who shall hold his office as is provided in this Constitution, and until his successor shall be chosen and qualified; and after he shall have been elected he shall reside in the circuit for which he was elected. One of said judges shall be designated as chief justice, in such manner as the Legislature shall provide. And the Legislature shall, at its first session, provide by law, as well for the election of, as for classifying the judges of the Circuit Court to be elected under this Constitution, in such manner that one of said judges shall go out of office in two years, one in three years, one in four years, one in five years and one in six years, and thereafter the judge elected to fill the office shall hold the same for six years.

8. VII.

The Circuit Courts shall have original jurisdiction in all matters, civil and criminal, within this State, not excepted in this Constitution, and not hereafter prohibited by law, and appellate jurisdiction from all infe-

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rior courts and tribunals, and a supervisory control over the same. They shall also have the power to issue writs of habeas corpus, mandamus, injunction, quo warranto, certiorari, and all other writs necessary to carry into effect their orders, judgments and decrees, and give them a general control over inferior courts and jurisdictions.

11. VII.

The Supreme Court shall hold at least one term annually at the seat of government of the State, at such time as shall be provided by law, and the Legislature may provide for holding other terms, and at other places, when they may deem it necessary. A Circuit Court shall be held at least twice in each year in each county of this State organized for judicial purposes. The judges of the Circuit Court may hold courts for each other, and shall do so when required by law.

23. VII.

The Legislature may provide for the appointment of one or more persons in each organized county, and may vest in such persons such judicial powers as shall be prescribed by law. Provided, That said power shall not exceed that of a judge of the Circuit Court at chambers.

WYOMING.

7. V.

At least two terms of the Supreme Court shall be held annually at the seat of government at such times as may be provided by law.

26. V.

Until the Legislature shall provide by law for fixing the terms of courts the judges of the Supreme Court and District Courts shall fix the terms thereof.

Abolition of City Courts.

ABOLITION OF CITY COURTS.

1 Sec. 5. The Superior Court of the City of New York,
2 the Court of Common Pleas for the City and County of New
3 York, the Superior Court of Buffalo, and the City Court of
4 Brooklyn, are abolished from and after the first day of Janu-
5 ary, one thousand eight hundred and ninety-six, and thereupon
6 the seals, records, papers and documents of or belonging to
7 such courts, shall be deposited in the offices of the clerks of
8 the several counties in which said courts now exist; and all
9 actions and proceedings then pending in such courts shall be
10 transferred to the Supreme Court for hearing and determina-
11 tion. The judges of said courts in office on the first day of
12 January, one thousand eight hundred and ninety-six, shall, for
13 the remainder of the terms for which they were elected or
14 appointed, be justices of the Supreme Court; but they shall
15 sit only in the counties in which they were elected or
16 appointed. Their salaries shall be paid by the said counties
17 respectively, and shall be the same as the salaries of the other
18 justices of the Supreme Court residing in the same counties.
19 Their successors shall be elected as justices of the Supreme
20 Court by the electors of the judicial districts in which they
21 respectively reside.

22 The jurisdiction now exercised by the several courts hereby
23 abolished, shall be vested in the Supreme Court. Appeals

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24 from inferior and local courts now heard in the Court of Com-
 25 mon Pleas for the City and County of New York and the
 26 Superior Court of Buffalo, shall be heard in the Supreme
 27 Court in such manner and by such justice or justices as the
 28 Appellate Divisions in the respective departments which
 29 include New York and Buffalo shall direct, unless otherwise
 30 provided by the Legislature.

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ALABAMA.**12. VI.**

The chief justice and associate justices of the Supreme Court, judges of the Circuit Courts, Probate Courts, and chancellors, shall be elected by the qualified electors of the State, circuits, counties and chancery divisions for which such courts may be established at such times as may be prescribed by law.

15. VI.

The chief justice and associate justices of the Supreme Court, circuit judges, chancellors and probate judges shall hold office for the term of six years, and until their successors are elected or appointed and qualified; and the right of such judges and chancellors to hold their office for the full time hereby prescribed, shall not be affected by any change hereafter made by law in any circuit, division or county in the mode or time of election.

CALIFORNIA.**5. VI.**

The Superior Court shall have original jurisdiction in all cases in equity, and in all cases at law which involve the title or

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possession of real property, or the legality of any tax, impost, assessment, toll, or municipal fine, and in all other cases in which the demand, exclusive of interest, or the value of the property in controversy, amounts to three hundred dollars, and in all criminal cases amounting to felony, and cases of misdemeanor or not otherwise provided for; of actions of forcible entry and detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate; of divorce and for annulment of marriage; and of all such special cases and proceedings as are not otherwise provided for. And said court shall have the power of naturalization, and to issue papers therefor. They shall have appellate jurisdiction in such cases arising in justices' and other inferior courts in their respective counties as may be prescribed by law. They shall be always open (legal holidays and non-judicial days excepted), and their process shall extend to all parts of the State; provided, that all actions for the recovery of the possession of quieting the

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title to, or for the enforcement of liens upon real estate, shall be commenced in the county in which the real estate, or any part thereof affected by such action or actions, is situated. Said courts, and their judges, shall have power to issue writs of mandamus, certiorari, prohibition, quo warranto, and habeas corpus on petition by or on behalf of any person in actual custody in their respective counties. Injunctions and writs of prohibition may be issued and served on legal holidays and non-judicial days.

7. VI.

In any county, or city and county, other than the city and county of San Francisco, in which there shall be more than one judge of the Superior Court, the judges of such court may hold as many sessions of said court at the same time as there are judges thereof, and shall apportion the business among themselves as equally as may be.

8. VI.

A judge of any Superior Court may hold a Superior Court in any county, at the request of a judge of the Superior Court thereof, and upon the request of the Governor it shall be his duty so to do. But a cause in the Superior Court may be tried by a judge pro tempore, who must be a member of the bar, agreed upon in writing by the parties litigant, or their attorneys of record, approved by the court, and sworn to try the cause.

COLORADO.

6. VI.

The judges of the Supreme Court shall be elected by electors of the State at large, as hereinafter provided.

7. VI.

The term of office of the judges of the Supreme Court, except as in this article otherwise provided, shall be nine years.

CONNECTICUT.

3. VIII.

The judges of the Supreme Court of Errors, of the Superior and Inferior courts, and all justices of the peace, shall be appointed by the General Assembly, in such manner as shall by law be prescribed. (Altered by amendments.) The judges of the Supreme Court and the Superior Court shall hold their offices during good behavior (altered by amendments), but may be removed by impeachment; and the Governor shall also remove them on the address of two-thirds of the members of each house of the General Assembly; all other judges and justices of the peace shall be appointed annually. (Altered by amendment of 1876.) No judge or justice of the peace shall be capable of holding his office after he shall arrive at the age of seventy years.

DELAWARE.

3. VI.

The Superior Court shall consist of the chief justice and two associate judges. The chief justice shall preside in every county, and in his absence the senior associate judge sitting in the county shall preside. No associate judge shall sit in the county in which he resides. Two of said judges shall constitute a quorum. One may open and adjourn the court, and make all rules necessary for the expediting of business.

This court shall have jurisdiction of all causes of a civil nature, real, personal and mixed, at common law, and all other the jur-

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isdiction and powers vested by the laws of this State in the Supreme Court or Court of Common Pleas.

16. VI.

In civil causes, when pending, the Superior Court shall have the power, before judgment, of directing, upon such terms as they shall deem reasonable, amendments, impleadings and legal proceedings, so that by error in any of them, the determination of causes, according to their real merits, shall not be hindered; and also of directing the examination of witnesses that are aged; very infirm, or going out of the State, upon interrogatories *de bene esse*, to be read in evidence, in case of the death or departure of the witnesses before the trial, or inability by reason of age, sickness, bodily infirmity or imprisonment, then to attend; and also the power of obtaining evidence from places not within the State.

22. VI.

The registers of the several counties shall respectively hold the register's court in each county. Upon the litigation of a cause, the dispositions of the witnesses examined, shall be taken at large in writing, and make part of the proceedings in the cause. This court may issue process throughout the State to compel the attendance of witnesses. Appeal may be made from a Register's Court to a Superior Court, whose decisions shall be final. In cases where a register is interested in questions concerning the probate of wills, the granting of letters of administration, or executors', administrators' or guardians' accounts, the cognizance thereof shall belong to the Orphans' Court, with an appeal to the Superior Court, whose decision shall be final.

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23. VI.

The prothonotary of the Superior Court may issue process, take recognizances of bail and enter judgments, according to law and the practice of the court. No judgment in one county shall bind land or tenements in another until a *testatum fieri facias* being issued, shall be entered of record in the office of the prothonotary of the county wherein the land or tenements are situated.

GEORGIA.

2. VI.

Par. IV. The chief justice and associate justices shall hold their offices for six years, and until their successors are qualified. A successor to the incumbent whose term will soonest expire shall be elected by the General Assembly in 1880; a successor to the incumbent whose term of office is next in duration shall be elected by the General Assembly in 1882; and a successor to the third incumbent shall be elected by the General Assembly in 1884; but appointments to fill vacancies shall only be for the unexpired term, or until such vacancies are filled by elections, agreeably to the mode pointed out by this Constitution.

3. VI.

Par. I. There shall be a judge of the Superior Court for each Judicial Circuit, whose term of office shall be four years, and until his successor is qualified. He may act in other circuits when authorized by law.

4. VI.

Par. I. The Superior Courts shall have exclusive jurisdiction in cases of divorce; in criminal cases where the offender is subjected to loss of life, or confinement in the penitentiary; in

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cases respecting titles of land, and equity cases.

4. VI.

Par. V. They shall have power to correct errors in inferior judicatories by writ of certiorari, which shall only issue on the sanction of the judge; and said courts and the judge thereof shall have power to issue writs of mandamus, prohibition, scire facias, and all other writs that may be necessary for carrying their powers fully into effect, and shall have such other powers as are or may be conferred on them by law.

4. VI.

Par. VIII. The Superior Courts shall sit in each county not less than twice in each year at such times as have been or may be appointed by law.

5. VI

Par. I. In any county within which there is, or hereafter may be, a city court, the judge of said court, and of the Superior Court, may preside in the courts of each other in cases where the judge of either court is disqualified to preside.

8. VI.

Par. I. Commissioned Notaries Public, not to exceed one for each militia district, may be appointed by the judges of the Superior Courts, in their respective circuits, upon recommendation of the grand juries of the several counties. They shall be commissioned by the Governor for the term of four years, and shall be ex officio justices of the peace, and shall be removable on conviction for malpractice in office.

12. VI.

Par. I. The judges of the Supreme and Superior Courts and Solicitors-General shall be elected by the General Assembly, in joint session, on such day or days as

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shall be fixed by joint resolution of both houses. At the session of the General Assembly which is held next before the expiration of the terms of the present incumbents, as provided in this Constitution, their successors shall be chosen; and the same shall apply to the election of those who shall succeed them. Vacancies occasioned by death, resignation or other cause shall be filled by appointment of the Governor until the General Assembly shall convene, when an election shall be held to fill the unexpired portion of the vacant terms.

ILLINOIS.

6. VI.

At the time of voting on the adoption of this Constitution, one judge of the Supreme Court shall be elected by the electors thereof in each of said districts numbered one, three, six and seven, who shall hold his office for the term of nine years from the first Monday in June, in the year of our Lord one thousand eight hundred and seventy. The term of office of judges of the Supreme Court, elected after the adoption of this Constitution, shall be nine years; and on the first Monday of June of the year in which the term of any of the judges in office at the adoption of this Constitution, or of the judges then elected, shall expire, and every nine years thereafter, there shall be an election for the successor or successors of such judges in the respective districts wherein the term of such judges shall expire. The chief justice shall continue to act as such until the expiration of the term for which he was elected, after which the judges shall choose one of their number chief justice.

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IOWA.**3. V.**

The judges of the Supreme Court shall be elected by the qualified electors of the State, and shall hold their court at such time and place as the General Assembly may prescribe. The judges of the Supreme Court so elected shall be classified so that one judge shall go out of office every two years; and the judge holding the shortest term of office under such classification shall be chief justice of the court during his term, and so on in rotation. After the expiration of their terms of office, under such classification, the term of each judge of the Supreme Court shall be six years, and until his successor shall have been elected and qualified. The judges of the Supreme Court shall be ineligible to any other office in the State during the term for which they shall have been elected.

11. V.

The judges of the Supreme and District Courts shall be chosen at the general election; and the term of office of each judge shall commence on the first day of January next after his election.

KANSAS.**11. III.**

All the judicial officers provided for by this article shall be elected at the first election under this Constitution, and shall reside in their respective townships, counties or districts during their respective terms of office. In case of vacancy in any judicial office, it shall be filled by appointment of the Governor until the next regular election that shall occur more than thirty days after such vacancy shall have happened.

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KENTUCKY.**119.**

The Superior Court shall continue until the terms of the present judges of said court expire, and upon the expiration of their terms all causes pending before the Superior Court shall be transferred to the Court of Appeals and be determined by it.

LOUISIANA.**135.**

There shall be in the city of New Orleans three City Courts, one of which shall be located in that portion of the city on the right bank of the Mississippi river, presided over by judges having all the qualifications required for a district judge, and shall be elected by the qualified voters of the parish for the term of four years. They shall have exclusive and final jurisdiction over all sums not exceeding one hundred dollars, exclusive of interest. The General Assembly shall regulate the salaries, territorial division of jurisdiction, the manner of executing their process, the fee bill and proceedings which shall govern them. They shall have authority to execute commissions, to take testimony and receive therefor such fees as may be allowed by law.

The General Assembly may increase the number of City Courts for said parish not to exceed eight in all. Until otherwise provided by law, each of the said courts shall have one clerk, to be elected for the term of four years by the qualified voters of the parish, who shall receive a salary of twelve hundred dollars per annum and no more, and whose qualifications, bond and duties shall be regulated by law.

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MAINE.**4. VI.**

All judicial officers now in office or who may be hereafter appointed shall, from and after the first day of March in the year eighteen hundred and forty, hold their offices for the term of seven years from the time of their respective appointments (unless sooner removed by impeachment or by address of both branches of the Legislature to the executive), and no longer unless re-appointed thereto.

MARYLAND.**3. IV.**

The judges of the said several courts shall be elected in the counties by the qualified voters in their respective judicial circuits, as hereinafter provided, at the general election to be held on the Tuesday after the first Monday in November next, and in the city of Baltimore, on the fourth Wednesday of October next. Each of the said judges shall hold his office for the term of fifteen years from the time of his election, and until his successor is elected and qualified, or until he shall have attained the age of seventy years, whichever may first happen, and be re-eligible thereto until he shall have attained the age of seventy years, and not after; but in case of any judge who shall attain the age of seventy years while in office, such judge may be continued in office by the General Assembly for such further time as they may think fit, not to exceed the term for which he was elected, by a resolution to be passed at the session next preceding his attaining said age. In case of the inability of any of said judges to discharge his duties with efficiency, by reason of continued sickness, or of

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physical or mental infirmity, it shall be in the power of the General Assembly, two-thirds of the members of each house concurring, with the approval of the Governor, to retire said judge from office.

9. IV.

The judge or judges of any court may appoint such officers for their respective courts as may be found necessary; and such officers of the courts in the city of Baltimore shall be appointed by the judges of the Supreme Bench of Baltimore City. It shall be the duty of the General Assembly to prescribe by law a fixed compensation for all such officers; and said judge or judges shall, from time to time, investigate the expenses, costs and charges of their respective courts, with a view to a change or reduction thereof, and report the result of such investigation to the General Assembly for its action.

12. IV.

If in any case the election for judges, clerks of the courts of law and registers of wills, the opposing candidates shall have an equal number of votes, it shall be the duty of the Governor to order a new election; and in case of any contested election, the Governor shall send the returns to the House of Delegates, which shall judge of the election and qualification of the candidates at such election; and if the judgment shall be against the one who has been returned elected, or the one who has been commissioned by the Governor, the House of Delegates shall order a new election within thirty days.

27. IV.

There shall be in the Eighth judicial circuit six courts, to be

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styled the Supreme Bench of Baltimore City, the Superior Court of Baltimore City, the Court of Common Pleas, the Baltimore City Court, the Circuit Court of Baltimore City, and the Criminal Court of Baltimore.

28. IV.

The Superior Court of Baltimore City, the Court of Common Pleas and the Baltimore City Court shall each have concurrent jurisdiction in all civil common law cases, and concurrently all the jurisdiction which the Superior Court of Baltimore City and the Court of Common Pleas now have, except jurisdiction in equity, and except in applications for the benefit of the insolvent laws of Maryland, and in cases of appeal from judgments of justices of the peace in said city, whether civil or criminal, or arising under the ordinances of the mayor and city council of Baltimore, of all of which appeal cases the Baltimore City Court shall have exclusive jurisdiction, and the said Court of Common Pleas shall have exclusive jurisdiction in all applications for the benefit of the insolvent laws of Maryland, and the supervision and control of the trustees thereof.

31. IV.

There shall be elected by the legal and qualified voters of said city, at the election hereinbefore provided for, one chief judge and four associate judges, who, together, shall constitute the Supreme Bench of Baltimore City, and shall hold their offices for the term of fifteen years, subject to the provisions of this Constitution with regard to the election and qualifications of judges, and their removal from office, and shall exercise the jurisdiction hereinafter specified, and shall

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each receive an annual salary of three thousand five hundred dollars, payable quarterly, which shall not be diminished during their term of office; but authority is hereby given to the mayor and city council of Baltimore to pay to each of the said judges an annual addition of five hundred dollars to their respective salaries: Provided, That the same, being once granted, shall not be diminished nor increased during the continuance of said judges in office.

32. IV.

It shall be the duty of the said Supreme Bench of Baltimore City, as soon as the judges thereof shall be elected and duly qualified, and from time to time, to provide for the holding of each of the aforesaid courts, by the assignment of one or more of their number to each of the said courts, who may sit either separately or together in the trial of cases; and the said Supreme Bench of Baltimore City may, from time to time, change the said assignment, as circumstances may require and the public interest may demand; and the judge or judges so assigned to the said several courts shall, when holding the same, have all the powers and exercise all jurisdiction which may belong to the court so being held; and it shall also be the duty of the said Supreme Bench of Baltimore City, in case of the sickness, absence or disability of any judge or judges, assigned as aforesaid, to provide for the hearing of the cases, or transaction of the business assigned to the said judge or judges, as aforesaid, before some one or more of the judges of said court.

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33. IV.

The said Supreme Bench of Baltimore City shall have the power, and it shall be its duty, to provide for the holding of as many General Terms as the performance of its duties may require, such General Terms to be held by not less than three judges; to make all needful rules and regulations for the conduct of business in each of the said courts, during the session thereof, and in vacation, or in chambers, before any of said judges; and shall also have jurisdiction to hear and determine all motions for a new trial in cases tried in the Criminal Court, where such motions rise either on questions of fact, or for misdirection upon any matters of law, and all motions in arrest of judgment, or upon any matters of law determined by the said judge or judges, while holding said Criminal Court; and the said Supreme Bench of Baltimore City shall make all needful rules and regulations for the hearing before it of all said matters; and the same right of appeal to the Court of Appeals shall be allowed from the determination of the said court on such matters, as would have been the right of the parties if said matters had been decided by the court in which said cases had been tried. The judge before whom any case may hereafter be tried, in either the Baltimore City Court, the Superior Court of Baltimore City or in the Court of Common Pleas, shall have exclusive jurisdiction to hear and determine; and the said judge shall hear and determine all motions for a new trial when such motions arise, either on questions of fact or for misdirection upon any matters of law; and all motions in arrest of judg-

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ment or upon matters of law determined by the said judge; and all such motions shall be heard and determined within thirty days after they are heard.

34. IV.

No appeal shall lie to the Supreme Bench of Baltimore City from the decision of the judge or the judges holding the Baltimore City Court, in case of appeal from a justice of the peace; but the decision by the said judge or judges shall be final; and all writs and other process issued out of either of said courts, requiring attestation, shall be attested in the name of chief judge of the said Supreme Bench of Baltimore City.

35. IV.

Three of the judges of said Supreme Bench of Baltimore City shall constitute a quorum of said court.

37. IV.

There shall be a clerk of each of the said courts of Baltimore City, except the Supreme Bench, who shall be elected by the legal and qualified voters of said city, at the election to be held in said city on the Tuesday next after the first Monday of November, in the year eighteen hundred and sixty-seven, and shall hold his office for six years from the time of his election, and until his successor is elected and qualified, and be re-eligible thereto, subject to be removed for wilful neglect of duty, or other misdemeanor in office, on conviction in a court of law. The salary of each of the said clerks shall be thirty-five hundred dollars a year, payable only out of the fees and receipts collected by the clerks of said city, and they shall be entitled to no other perquisites or compensation. In case of a vacancy in

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the office of clerk of any of the said courts, the judges of said Supreme Bench of Baltimore City shall have power to fill such vacancy until the general election of delegates to the General Assembly to be held next thereafter, when a clerk of said court shall be elected to serve for six years thereafter; and the provisions of this article in relation to the appointment of deputies by the clerks of the Circuit Courts in the counties, shall apply to the clerks of the courts in Baltimore City.

38. IV.

The clerk of the Court of Common Pleas shall have authority to issue within said city, all marriages and other licenses required by law, subject to such provisions as are now or may be prescribed by law. The clerk of the Superior Court of said city shall receive and record all deeds, conveyances and other papers, which are or may be prescribed by law to be recorded in said city. He shall also have custody of all papers connected with the proceedings on the law or equity side of Baltimore County Court, and of the dockets thereof, so far as the same have relation to the City of Baltimore, and shall also discharge the duties of clerk to the Supreme Bench of Baltimore City, unless otherwise provided by law.

39.

The General Assembly shall, whenever it may think proper and expedient, provide, by law, another court for the city of Baltimore, and prescribe its jurisdiction and powers; in which case there shall be elected by the voters of said city, qualified under this Constitution, another judge of the Supreme Bench of Baltimore city,

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who shall be subject to the same constitutional provisions, hold his office for the same term of years, receive the same compensation, and have the same powers, as are herein provided for the judges of said Supreme Bench of Baltimore city; and all of the provisions of this Constitution relating to the assignment of judges to the courts, now existing in said city, and for the dispatch of business therein, shall apply to the court, for whose creation provision is made by this section. (Under this section, the General Assembly, by the act of 1888, chapter 194, established the Circuit Court No. 2 of Baltimore city, conferring upon it the same jurisdiction as that possessed by the Circuit Court of Baltimore city.) And the General Assembly may reappportion, change or enlarge the jurisdiction of the several courts in Baltimore city. Until otherwise provided by law, the clerk of the Superior Court of Baltimore city, of the Court of Common Pleas, of the Circuit Court of Baltimore city, of the Baltimore City Court, and of the Criminal Court of Baltimore, shall each give bond in such penalty as is now prescribed by law to be given by the clerks of the courts, bearing the same names, under the present Constitution.

40. IV.

The qualified voters of the city of Baltimore, and of the several counties, shall on the Tuesday next after the first Monday in November next, and on the same day in every fourth year thereafter elect three men to be judges of the Orphans' courts of said city and counties, respectively, who shall be citizens of

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the State, and residents for twelve months preceding, in the city or county for which they may be elected. They shall have all the powers now vested in the Orphans' Courts of the State, subject to such changes as the Legislature may prescribe. Each of said judges shall be paid a per diem for the time they are actually in session, to be regulated by law, and to be paid by the said city or counties, respectively. In case of a vacancy in the office of judge of the Orphans' Court, the Governor shall appoint, subject to confirmation or rejection by the Senate, some suitable person to fill the same for the residue of the term.

MINNESOTA.**3. VI.**

The judges of the Supreme Court shall be elected by the electors of the State at large, and their term of office shall be six years, and until their successors are elected and qualified.

(Whenever all or a majority of the judges of the Supreme Court shall, from any cause, be disqualified from sitting in any case in said court, the Governor, or, if he shall be interested in the result of such case, then the Lieutenant-Governor, shall assign judges of the District Court of the State, who shall sit in such case in place of such disqualified judges, with all the powers and duties of judges of the Supreme Court.)

9. VI.

All judges other than those provided for in this Constitution, shall be elected by the electors of the judicial district, county or city, for which they shall be created, not for a longer term than seven years.

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MISSISSIPPI.**149. VI.**

The term of office of the judges of the Supreme Court shall be nine years. The office of one of said judges shall be vacated in three years, one in six years, and one in nine years, so that at the expiration of every three years one of said judges shall be appointed as aforesaid.

MISSOURI.**4. VI.**

The judges of the Supreme Court shall hold office for the term of ten years. The judge oldest in commission shall be chief justice of the court; and, if there be more than one commission of the same date, the court may select the chief justice from the judges holding the same.

7. VI.

The full term of the judges of the Supreme Court shall commence on the first day of January next ensuing their election, and those elected to fill any vacancy shall also enter upon the discharge of their duties on the first day of January next ensuing such election. Those appointed shall enter upon the discharge of their duties as soon as qualified.

30. VI.

The election of judges of all courts of record shall be held as is or may be provided by law, and in case of a tie or contested election between the candidates, the same shall be determined as prescribed by law.

MONTANA.**6. VIII.**

The justices of the Supreme Court shall be elected by the electors of the State at large, as herein-after provided.

7. VIII.

The term of office of the justices

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of the Supreme Court, except as in this Constitution otherwise provided, shall be six years.

NEBRASKA.**4. VI.**

The judges of the Supreme Court shall be elected by the electors of the State at large, and their terms of office, except of those chosen at the first election, as hereinafter provided, shall be six years.

NEVADA.**3. -VI.**

The justices of the Supreme Court shall be elected by the qualified electors of the State at the general election, and shall hold office for the term of six years from and including the first Monday of January next succeeding their election: Provided, That there shall be elected, at the first election under this Constitution, three justices of the Supreme Court, who shall hold office from and including the first Monday of December, A. D. 1864, and continue in office thereafter two, four and six years, respectively, from and including the first Monday of January next succeeding their election. They shall meet as soon as practicable after their election and qualification, and at their first meeting shall determine, by lot, and the justice drawing the shortest term shall be chief justice, and after the expiration of his term, the one having the next shortest term shall be chief justice, after which the senior justice in commission shall be chief justice. And in case the commission of any two or more of said justices shall bear the same date, they shall determine by lot who shall be chief justice.

NEW HAMPSHIRE.

Art. 35. It is essential to the

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preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws and administration of justice. It is the right of every citizen to be tried by judges as impartial as the lot of humanity will admit. It is, therefore, not only for the best policy, but for the security of the rights of the people, that the judges of the Supreme Judicial Court should hold their offices so long as they behave well, subject, however, to such limitations on account of age as may be provided by the Constitution of the State; and that they should have honorable salaries, ascertained and established by standing laws.

Art. 78. No person shall hold the office of judge of any court, or judge of probate, or sheriff of any county, after he has attained the age of seventy years.

59.

Permanent and honorable salaries shall be established by law for the justices of the Superior Court.

NEW JERSEY.**1. VII.**

Justices of the Supreme Court, chancellor, judges of the Court of Errors and Appeals and judges of the inferior Court of Common Pleas shall be nominated by the Governor, and appointed by him, with the advice and consent of the Senate.

The justices of the Supreme Court and chancellor shall hold their offices for the term of seven years; shall, at stated times, receive for their services a compensation which shall not be diminished during the term of their appointments; and they shall hold no other office under the government of this State or of the United States.

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2. VII.

Judges of the Courts of Common Pleas shall be appointed by the Senate and General Assembly, in joint meeting.

They shall hold their offices for five years; but when appointed to fill vacancies, they shall hold for the unexpired term only.

NORTH CAROLINA.

10. IV.

The State shall be divided into nine judicial districts, for each of which a judge shall be chosen; and there shall be held a Superior Court in each county at least twice in each year, to continue for such time in each county as may be prescribed by law. But the General Assembly may reduce or increase the number of districts.

21. IV.

The justices of the Supreme Court shall be elected by the qualified voters of the State, as is provided for the election of members of the General Assembly. They shall hold their offices for eight years. The judges of the Superior Courts, elected at the first election under this management, shall be elected in like manner as is provided for justices of the Supreme Court, and shall hold their offices for eight years. The General Assembly may, from time to time, provide by law that the judges of the Superior Courts, chosen at succeeding elections, instead of being elected by the voters of the whole State, as is herein provided for, shall be elected by the voters of their respective districts.

22. IV.

The Superior Courts shall be, at all times, open for the transaction of all business within their jurisdiction, except the trial of issues of fact requiring a jury.

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NORTH DAKOTA.

90. IV.

The judges of the Supreme Court shall be elected by the qualified electors of the State at large, and except as may be otherwise provided herein for the first election for judges under this Constitution, said judges shall be elected at general elections.

91. IV.

The term of office of the judges of the Supreme Court, except as in this article otherwise provided, shall be six years, and they shall hold their offices until their successors are duly qualified.

92.

The judges of the Supreme Court shall, immediately after the first election under this Constitution, be classified by lot, so that one shall hold his office for the term of three years, one for the term of five years and one for the term of seven years from the first Monday in December, A. D. 1889. The lots shall be drawn by the judges, who shall for that purpose assemble at the seat of government, and they shall cause the result thereof to be certified to the secretary of the territory, and filed in his office, unless the Secretary of State of North Dakota shall have entered upon the duties of his office, in which event said certification shall be filed therein. The judge having the shortest term to serve, not holding his office by election or appointment to fill a vacancy, shall be chief justice, and shall preside at all terms of the Supreme Court, and in case of his absence, the judge having in like manner the next shortest term to serve, shall preside in his stead.

OHIO.

3. IV.

The State shall be divided into

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nine common pleas districts, of which the county of Hamilton shall constitute one, of compact territory, and bounded by county lines, and each of said districts, consisting of three or more counties, shall be subdivided into three parts of compact territory, bounded by county lines and as nearly equal in population as practicable; in each of which, one judge of the Court of Common Pleas for said district, and residing therein, shall be elected by the electors of said subdivision. Courts of Common Pleas shall be held by one or more of these judges, in every county in the district, as often as may be provided by law; and more than one court, or sitting thereof, may be held at the same time in each district.

4. IV.

The jurisdiction of the Court of Common Pleas, and the judges thereof shall be fixed by law.

10. IV.

All judges, other than those provided for in this Constitution, shall be elected by the electors of the judicial district for which they may be created, but not for a longer term of office than five years.

12. IV.

The judges of the Courts of Common Pleas shall, while in office, reside in the district for which they are elected; and their term of office shall be for five years.

6.

The Superior and Commercial Courts of Cincinnati, and the Superior Court of Cleveland, shall remain, until otherwise provided by law, with their present powers and jurisdiction; and the judges and clerks of said courts in office on the first day of September, one thousand

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eight hundred and fifty-one shall continue in office until the expiration of their terms of office, respectively, or until otherwise provided by law, but neither of said courts shall continue after the second Monday of February, one thousand eight hundred and fifty-three; and no suits shall be commenced in said two first mentioned courts, after the second Monday in February, one thousand eight hundred and fifty-two; nor in said last-mentioned court, after the second Monday in August, one thousand eight hundred and fifty-two; and all business in either of said courts, not disposed of within the time limited for their continuance as aforesaid, shall be transferred to the Court of Common Pleas.

13.

The said Courts of Common Pleas shall be the successors of the present Courts of Common Pleas in the several counties, except as to probate jurisdiction, and all suits, prosecutions, proceedings, records, and judgments, pending or being in said last-mentioned courts, except as aforesaid, shall be transferred to the Courts of Common Pleas created by this Constitution, and proceeded in, as though the same had been therein instituted.

OREGON.**3. VII.**

The judges first chosen under this Constitution shall allot among themselves their terms of office, so that the term of one of them shall expire in two years, one in four years, and two in six years, and thereafter one or more shall be chosen every two years, to serve for the term of six years.

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PENNSYLVANIA.

4. V.

Until otherwise directed by law, the courts of Common Pleas shall continue as at present established, except as herein changed; not more than four counties, shall at any time, be included in one judicial district organized for said courts.

8. V.

The said courts in the counties of Philadelphia and Allegheny, respectively, shall, from time to time, in turn detail one or more of their judges to hold the courts of Oyer and Terminer and the courts of Quarter Sessions of the Peace of said counties, in such manner as may be directed by law.

9. V.

Judges of the courts of Common Pleas learned in the law shall be judges of the courts of Oyer and Terminer, Quarter Sessions of the Peace and general jail delivery, and of the Orphans' Court, and within their respective districts shall be justices of the peace as to criminal matters.

10. V.

The judges of the Courts of Common Pleas, within their respective counties, shall have power to issue writs of certiorari to justices of the peace and other inferior courts not of record, and to cause their proceedings to be brought before them, and right and justice to be done.

12. V.

In Philadelphia there shall be established, for each thirty thousand inhabitants, one court, not of record, of police and civil causes, with jurisdiction not exceeding one hundred dollars; such courts shall be held by magistrates whose term of office shall be five years, and

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they shall be elected on general ticket by the qualified voters at large; and in the election of the said magistrates no voter shall vote for more than two-thirds of the number of persons to be elected when more than one are to be chosen; they shall be compensated only by fixed salaries, to be paid by said county; and shall exercise such jurisdiction, civil and criminal, except as herein provided, as is now exercised by aldermen, subject to such changes, not involving an increase of civil jurisdiction or conferring political duties, as may be made by law. In Philadelphia the office of alderman is abolished.

15. V.

All judges required to be learned in the law, except the judges of the Supreme Court, shall be elected by the qualified electors of the respective districts over which they are to preside, and shall hold their offices for the period of ten years, if they shall so long behave themselves well; but for any reasonable cause, which shall not be sufficient ground for impeachment, the Governor may remove any of them on the address of two-thirds of each house of the General Assembly.

20. V.

The several Courts of Common Pleas, besides the powers herein conferred, shall have and exercise within their respective districts, subject to such changes as may be made by law, such chancery powers as are now vested by law in the several Courts of Common Pleas of this commonwealth, or as may hereafter be conferred upon them by law.

16. VIII.

The Courts of the Common

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Pleas of the several counties of the commonwealth shall have power, within their respective jurisdictions, to appoint overseers of election to supervise the proceedings of election officers and to make report to the court as may be required; such appointments to be made for any district in a city or county upon petition of five citizens, lawful voters of such election district, setting forth that such appointment is a reasonable precaution to secure the purity and fairness of elections; overseers shall be two in number for an election district, shall be residents therein, and shall be persons qualified to serve upon election boards, and in each case members of different political parties; whenever a member of an election board shall differ in opinion the overseers, if they shall be agreed thereon, shall decide the question of difference; in appointing overseers of election all the law judges of the proper court, able to act at the time, shall concur in the appointments made.

SOUTH CAROLINA.

3. IV.

The chief justice elected under this Constitution shall continue in office for six years, and the General Assembly, immediately after the said election, shall determine which of the two associate justices-elect shall serve for the term of two years, and which for the term of four years, and, having so determined the same, it shall be the duty of the Governor to commission them accordingly.

15. IV.

The Courts of Common Pleas shall have exclusive jurisdiction in all cases of divorce, and exclusive original jurisdiction in all civil

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cases and actions ex delicto which shall not be cognizable before justices of the peace, and appellate jurisdiction in all such cases as may be provided by law. They shall have power to issue writs of mandamus prohibition, scire facias, and all other writs which may be necessary for carrying their powers fully into effect.

16. IV.

The Court of Common Pleas shall sit in each judicial district in this State at least twice in every year, at such stated times and places as may be appointed by law. It shall have jurisdiction in all matters of equity, but the courts heretofore established for that purpose shall continue as now organized until the first day of January, one thousand eight hundred and sixty-nine, for the disposition of causes now pending therein, unless otherwise provided by law.

SOUTH DAKOTA.

26. V.

The judges of the Supreme Court, Circuit Courts and County Courts shall be chosen at the first election held under the provisions of this Constitution, and thereafter as provided by law, and the Legislature may provide for the election of such officers on a different day from that on which an election is held for any other purpose, and may for the purpose of making such provision, extend or abridge the term of office for any of such judges then holding, but not in any case more than six months. The term of office of all judges of Circuit Courts, elected in the several judicial circuits throughout the State, shall expire on the same day.

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TENNESSEE.

3. VI.

The judges of the Supreme Court shall be elected by the qualified voters of the State. The Legislature shall have power to prescribe such rules as may be necessary to carry out the provisions of section 2 of this article. Every judge of the Supreme Court shall be thirty-five years of age, and shall, before his election, have been a resident of the State for five years. His term of service shall be eight years.

WASHINGTON.

26. I.

No grand jury shall be drawn or summoned in any county, except the superior judge thereof shall so order.

3. IV.

The judges of the Supreme Court shall be elected by the qualified electors of the State at large at the general State election at the time and places at which State officers are elected, unless some other time be provided by the Legislature. The first election of judges of the Supreme Court shall be at the election which shall be held upon the adoption of this Constitution, and the judges elected thereat shall be classified by lot, so that two shall hold their office for the term of three years, two for the term of five years, and one for the term of seven years. The lot shall be drawn by the judges who shall for that purpose assemble at the seat of government, and they shall cause the result thereof to be certified to the Secretary of State, and filed in his office. The judge having the shortest term to serve, not holding his office by appointment or election to fill a vacancy, shall be the chief justice, and

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shall preside at all sessions of the Supreme Court, and in case there shall be two judges having in like manner the same short term, the other judges of the Supreme Court shall determine which of them shall be chief justice. In case of the absence of the chief justice, the judge having in like manner the shortest or next shortest term to serve shall preside. After the first election the terms of judges elected shall be six years from and after the second Monday in January succeeding their election. If a vacancy occur in the office of a judge of the Supreme Court the Governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall take place at the next succeeding general election, and the judge so elected shall hold the office for the remainder of the unexpired term. The term of office of the judges of the Supreme Court first elected shall commence as soon as the State shall have been admitted into the Union, and continue for the term herein provided, and until their successors are elected and qualified. The sessions of the Supreme Court shall be held at the seat of government until otherwise provided by law.

5. IV.

There shall be in each of the organized counties of this State a Superior Court for which at least one judge shall be elected by the qualified voters of the county at the general State election: Provided, that until otherwise directed by the Legislature, one judge only shall be elected for the counties of Spokane and Stevens; one judge for the coun-

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ty of Whitman; one judge for the counties of Lincoln, Okanogan, Douglas and Adams; one judge for the counties of Walla Walla and Franklin; one judge for the counties of Columbia, Garfield and Asotin; one judge for the counties of Kittitas, Yakima and Klickitat; one judge for the counties of Clarke, Skamania, Pacific, Cowlitz and Wahkiakum; one judge for the counties of Thurston, Chehalis, Mason and Lewis; one judge for the county of Pierce; one judge for the county of King; one judge for the counties of Jefferson, Island, Kitsap, San Juan and Clallam; and one judge for the counties of Whatcom, Skagit and Snohomish. In any county where there shall be more than one superior judge, there may be as many sessions of the Superior Court at the same time as there are judges thereof, and whenever the Governor shall direct a superior judge to hold court in any other than that for which he has been elected, there may be as many sessions of the Superior Court in said county at the same time as there are judges therein or assigned to duty therein by the Governor, and the business of the court shall be so distributed and assigned by law, or, in the absence of legislation therefor, by such rules and orders of court, as shall best promote and secure the convenient and expeditious transaction thereof. The judgments, decrees, orders and proceedings of any session of the Superior Court held by any one or more of the judges of such court shall be equally effectual as if all the judges of said court presided at such session. The first superior judges elected under this Constitution shall hold their offices for the period of

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three years, and until their successors shall be elected and qualified, and thereafter the term of office of all superior judges in this State shall be for four years from the second Monday in January next succeeding their election, and until their successors are elected and qualified. The first election of judges of the Superior Court shall be at the election held for the adoption of this Constitution. If a vacancy occurs in the office of judge of the Superior Court, the Governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall be at the next succeeding general election, and the judge so elected shall hold office for the remainder of the unexpired term.

6. IV.

The Superior Court shall have original jurisdiction in all cases in equity, and in all cases at law which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll or municipal fine, and in all other cases in which the demand, or the value of the property in controversy, amounts to one hundred dollars, and in all criminal cases amounting to felony, and in all cases of misdemeanor not otherwise provided for by law; of actions of forcible entry and detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate, of divorce, and for annulment of marriage; and for such special cases and proceedings as are not otherwise provided for. The Superior Court shall also have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law

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vested exclusively in some other court; and said court shall have the power of naturalization, and to issue papers therefor. They shall have such appellate jurisdiction in cases arising in justice's and other inferior courts in their respective counties as may be prescribed by law. They shall be always open except on non-judicial days, and their process shall extend to all parts of the State. Said courts and their judges shall have power to issue writs of mandamus, quo warranto, review, certiorari, prohibition and writs of habeas corpus, on petition by or on behalf of any person in actual custody in their respective counties. Injunctions and writs of prohibition and of habeas corpus may be issued and served on legal holidays and non-judicial days.

7. IV.

The judge of any Superior Court may hold a Superior Court in any county at the request of the judge of the Superior Court thereof, and upon the request of the Governor it shall be his duty to do so. A case in the Superior Court may be tried by a judge pro tempore, who must be a member of the bar agreed upon in writing by the parties

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litigant, or their attorneys of record, approved by the court, and sworn to try the case.

20. IV.

Every case submitted to a judge of the Superior Court for his decision shall be decided by him within ninety days from the submission thereof: Provided, that if within said period of ninety days a rehearing shall have been ordered, then the period within which he is to decide shall commence at the time the cause is submitted upon such a rehearing.

23. IV.

There may be appointed in each county, by the judge of the Superior Court having jurisdiction therein, one or more court commissioners, not exceeding three in number, who shall have authority to perform like duties as a judge of the Superior Court at chambers, subject to revision by such judge, to take depositions and to perform such other business connected with the administration of justice as may be prescribed by law.

24. IV.

The judges of the Superior Court shall, from time to time, establish uniform rules for the government of the Superior Courts.

Abolition of Circuit Courts and Courts of Oyer and Terminer.

**ABOLITION OF CIRCUIT COURTS AND COURTS OF OYER AND
TERMINER.**

1 Sec. 6. Circuit Courts and Courts of Oyer and Termi-
2 ner are abolished from and after the last day of December,
3 one thousand eight hundred and ninety-five. All their juris-
4 diction shall thereupon be vested in the Supreme Court, and
5 all actions and proceedings then pending in such courts shall
6 be transferred to the Supreme Court for hearing and determi-
7 nation. Any justice of the Supreme Court, except as other-
8 wise provided in this article, may hold court in any county.

 Court of Appeals.

COURT OF APPEALS.

1 Sec. 7. The Court of Appeals is continued. It shall
 2 consist of the Chief Judge and Associate Judges now in office,
 3 who shall hold their offices until the expiration of their respec-
 4 tive terms, and their successors, who shall be chosen by the
 5 electors of the State. The official terms of the Chief Judge
 6 and Associate Judges shall be fourteen years from and includ-
 7 ing the first day of January next after their election. Five
 8 members of the court shall form a quorum, and the concur-
 9 rence of four shall be necessary to a decision. The court shall
 10 have power to appoint and to remove its reporter, clerk and
 11 attendants.

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DELAWARE.**7. VI.**

The Court of Errors and Appeals shall have jurisdiction to issue writs of error to the Superior Court, and to receive appeals from the Court of Chancery, and to determine finally all matters in error in the judgments and proceedings of said Superior Court, and all matters of appeal in the interlocutory or final decrees and proceedings in chancery. The Court of Errors and Appeals, upon a writ of error to the Superior Court, shall consist of three judges at least, that is to say, the chancellor, who shall preside; the associate judge, who could not, on account of his residence, sit in the cause below; and one of the judges who did sit in the said cause. The judges of the Superior Court to whom it appertains to hold the Superior Court in each county,

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shall sit alternately in the Court of Errors and Appeals in cases in error brought from the Superior Court in such county, according to the following rotation, that is to say: If the judgment below be rendered in the court in New Castle county at the first term of the said court there, the chief justice shall sit; if at the second term of the said court there, the associate judge for Kent county shall sit, and if at the third term of said court there, the associate judge for Sussex county shall sit. If the judgment below be rendered in the court in Kent county at the first term of said court there, the associate judge for Sussex county shall sit; if at the second term of the said court there, the associate judge for New Castle coun-

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ty shall sit, and if at the third term of said court there, the chief justice shall sit. If the judgment below be rendered in the court in Sussex county at the first term of said court there, the associate judge for New Castle county shall sit; if at the second term of the said court there, the chief justice shall sit, and if at the third term of the said court there, the associate judge for Kent county shall sit; and so from term to term, in every succeeding rotation, the judges beginning and following each other in the same order. But if in any case in the Court of Errors and Appeals the judge who sat in the cause below, and ought, according to this provision, to sit in the Court of Errors and Appeals, be absent, unable or disqualified, then either of the other judges who sat in the cause below may sit; and the court shall have power to prevent any inconvenience or delay from observing the rotation above prescribed, by making an order or regulation for either of the judges who sat in the cause below, to sit in such cause in the Court of Errors and Appeals. If a judge did not sit in the cause below he shall sit in the said cause in the Court of Errors and Appeals, unless there be a legal exception to him; but the court, if there be three judges present, may proceed in his absence.

Whenever the Superior Court consider that a question of law ought to be decided before all the judges, they shall have power, upon the application of either party, to direct it to be heard in the Court of Errors and Appeals; and in that case the chancellor and four judges

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shall compose the Court of Errors and Appeals, the chancellor presiding, and any four of them being a quorum; and in the absence of the chancellor, the chief justice shall preside. The Superior Court, in exercising this power, may direct a cause to be proceeded in to verdict and judgment in that court, or to be otherwise proceeded in, as shall be best for expediting justice.

Upon appeals from the Court of Chancery, the Court of Errors and Appeals shall consist of the chief justice and three associate judges; any three of them shall be a quorum.

KENTUCKY.

110.

The Court of Appeals shall have appellate jurisdiction only, which shall be co-extensive with the State, under such restrictions and regulations not repugnant to this Constitution as may, from time to time, be prescribed by law. Said court shall have power to issue such writs as may be necessary to give it a general control of inferior jurisdictions.

111.

The Court of Appeals shall be held at the seat of government; but if that shall become dangerous, in case of war, insurrection or pestilence, it may adjourn to meet and transact its business at such other place in the State as it may deem expedient for the time being.

112.

The judges of the Court of Appeals shall severally hold their offices for the term of eight years, commencing on the first Monday in January next succeeding their respective elections, and until their several successors are qualified, subject to the condi-

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tions hereinafter prescribed. For any reasonable cause the Governor shall remove them, or any one or more of them, on the address of two-thirds of each house of the General Assembly. The cause or causes for which said removal shall be required shall be stated at length in such address and in the journal of each house. They shall at stated times receive for their services an adequate compensation, to be fixed by law.

113.

The Court of Appeals shall, after eighteen hundred and ninety-four, consist of not less than five nor more than seven judges. They shall, severally, by virtue of their office, be conservators of the peace throughout the State, and shall be commissioned by the Governor.

114.

No person shall be eligible to election as a judge of the Court of Appeals who is not a citizen of Kentucky, and has not resided in this State five years, and in the district in which he is elected two years next preceding his election, and who is less than thirty-five years of age, and has not been a practicing lawyer eight years, or whose services upon the bench of a Circuit Court or court of similar jurisdiction, when added to the time he may have practiced law, shall not be equal to eight years.

115.

The present judges of the Court of Appeals shall hold their offices until their respective terms expire, and until their several successors shall be qualified; and at the regular election next preceding the expiration of the term of each of the present judges,

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his successor shall be elected. The General Assembly shall, before the regular election in eighteen hundred and ninety-four, provide for the election of such judges of the Court of Appeals, not less than five nor exceeding seven, as may be necessary; and if less than seven judges be provided for, the General Assembly may, at any time, increase the number to seven.

116.

The judges of the Court of Appeals shall be elected by districts. The General Assembly shall, before the regular election in eighteen hundred and ninety-four, divide the State, by counties, into as many districts, as nearly equal in population and as compact in form as possible, as it may provide shall be the number of judges of the Court of Appeals; and it may, every ten years thereafter, or when the number of judges requires it, redistrict the State in like manner. Upon the creation of new or additional districts, the General Assembly shall designate the year in which the first election for a judge of the Court of Appeals shall be held in each district, so that not more than the number of judges provided for shall be elected, and that no judge may be deprived of his office until the expiration of the term for which he was elected.

117.

A majority of the judges of the Court of Appeals shall constitute a quorum for the transaction of business, but in the event as many as two decline, on account of interest or for other reason, to preside in the trial of any cause, the Governor, on that fact being certified to him by the

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chief justice, shall appoint to try the particular cause a sufficient number of judges to constitute a full court. The judges so appointed shall possess the qualifications prescribed for judges of the Court of Appeals, and receive the same compensation proportioned to the length of service.

118.

The judge longest in commission as judge of the Court of Appeals shall be Chief Justice, and if the term of service of two or more judges be the same, they shall determine by lot which of their number shall be Chief Justice. The court shall prescribe by rule that petitions for rehearing shall be considered by a judge who did not deliver the opinion in the case; and the court, if composed of seven judges, shall divide itself into sections for the transaction of business, if, in the judgment of the court, such arrangement is necessary.

124.

The clerks of the Courts of Appeals, Circuit and County Courts shall be removable from office by the Court of Appeals, upon information and good cause shown. The court shall be judge of the facts as well as the law. Two-thirds of the members present must concur in the sentence.

LOUISIANA.

Art. 95. The Courts of Appeal, except in cases hereinafter provided, shall have appellate jurisdiction only, which jurisdiction shall extend to all cases, civil or probate, when the matter in dispute or the funds to be distributed shall exceed two hundred dollars, exclusive of interest, and shall not exceed

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one thousand dollars, exclusive of interest.

Art. 96. The Courts of Appeal shall be composed of two circuit judges, who shall be elected by the two houses of the General Assembly in joint session. The first judges of the Courts of Appeal under this Constitution shall be elected for the following terms: One judge for each court for the term of four years, and one judge for the term of eight years.

They shall be learned in the law, and shall have resided and practiced law in this State for six years, and shall have been actual residents of the circuit from which they shall be elected for at least two years next preceding their election.

Art. 98. The judges of the Courts of Appeal, until otherwise provided by law, shall hold two terms annually in each parish composing their respective circuits.

Art. 101. Whenever the judges composing the Courts of Appeal concur, their judgment shall be final.

Whenever there shall be a disagreement, the judgment appealed from shall stand affirmed.

Art. 103. The rules of practice regulating appeals to and proceedings in the Supreme Court shall apply to appeals and proceedings in the Courts of Appeal, so far as they may be applicable, until otherwise provided by law.

Art. 104. The judges of the Courts of Appeal shall have power to issue writs of habeas corpus at the instance of all persons in actual custody, within their respective circuits. They shall also have authority

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to issue writs of mandamus, prohibition and certiorari, in aid of their appellate jurisdiction.

128.

There shall be in the parish of Orleans a Court of Appeals for said parish, with exclusive appellate jurisdiction in all matters, civil or probate, arising in said parish, when the amount in dispute or fund to be distributed exceeds two hundred dollars, interest excluded, and is less than one thousand dollars, exclusive of interest. Said court shall be presided over by two judges, who shall be elected by the General Assembly in joint session; they shall be residents and voters of the city of New Orleans, possessing all the qualifications necessary for judges of Circuit Courts of Appeals throughout the State. They shall each receive an annual salary of four thousand dollars, payable monthly upon their respective warrants.

Said appeals shall be upon questions of law alone in all cases involving less than five hundred dollars, exclusive of interest, and upon the law and the facts in other cases.

It shall sit in the city of New Orleans, from the first Monday of November to the last Monday of June of each year.

It shall have authority to issue writs of mandamus, prohibition, certiorari and habeas corpus in aid of its appellate jurisdiction.

Art. 129. The provisions of this Constitution, relating to the term of office, qualifications and salary of the judges of the Circuit Courts of Appeal throughout the State, and the manner of proceeding and determining causes as applicable to such

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Circuit Courts of Appeals, shall apply to this court and its judges in so far as such provisions are not in conflict with the provisions specially relating to said court and its judges.

Said Court of Appeals shall have jurisdiction of all causes now pending on appeal from the parish of Orleans before the Supreme Court of the State where the amount in dispute or fund to be distributed is less than one thousand dollars, exclusive of interest, and the Supreme Court shall at once transfer said causes to the Court of Appeals.

Art. 132. The Court of Appeals and the Civil and Criminal District Courts for the parish of Orleans shall respectively regulate the order of preference and trial of causes pending, and adopt other rules to govern the proceedings therein not in conflict with the provisions of law.

Art. 133. The Court of Appeals and each judge of the Civil and Criminal District Courts of the parish of Orleans shall appoint a minute clerk, at an annual salary of not more than eighteen hundred dollars, whose duties shall be regulated by law. Each clerk of court shall appoint, by and with the consent of the District Court of which he is clerk, such deputies as may be necessary to perform efficiently the duties of said office, at salaries to be fixed by law. He shall be responsible for the said deputies, and may require from each such security as he may deem sufficient to secure himself; and said deputies shall be removable at his pleasure.

Art. 261. All causes in which appeals have been or may be hereafter taken or now pending

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in the Supreme Court under the Constitution of 1868, and of which jurisdiction has been vested by this Constitution in the Courts of Appeal, shall, after the adoption of this Constitution, be transferred for trial to the Court of Appeals of the circuit from which the appeal has been or may be taken.

All other causes that may be pending in the Supreme Court, under the Constitution of 1868, shall be transferred to the Supreme Court created by this Constitution as soon as it shall be organized.

All causes that may be pending in all other courts, under the Constitution of 1868, upon the adoption of this Constitution and the organization of the courts created by this Constitution, shall be transferred to the courts respectively having jurisdiction thereof under this Constitution.

MARYLAND.

14. IV.

The Court of Appeals shall be composed of the chief judges of the first seven of the several judicial circuits of the State, and a judge from the city of Baltimore specially elected thereto, one of whom shall be designated by the Governor, by and with the advice and consent of the Senate, as the chief judge; and in all cases, until action by the Senate can be had, the judge so designated by the Governor shall act as chief judge. The judge of the Court of Appeals from the city of Baltimore shall be elected by the qualified voters of said city at the election of judges to be held therein, as hereinbefore provided; and in addition to his duties as judge of the Court of Appeals, shall

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perform such other duties as the General Assembly shall prescribe. The jurisdiction of said Court of Appeals shall be co-extensive with the limits of the State, and such as now is or may hereafter be prescribed by law. It shall hold its sessions in the city of Annapolis on the second Monday in January, the first Monday in April, and the first Monday in October of each and every year, or at such other times as the General Assembly may by law direct. Its sessions shall continue not less than ten months in the year, if the business before it shall require; and it shall be competent for the judges, temporarily, to transfer their sittings elsewhere, upon sufficient cause.

15. IV.

Four of said judges shall constitute a quorum; no cause shall be decided without the concurrence of at least three; but the judge who heard the case below shall not participate in the decision; in every case an opinion, in writing, shall be filed within three months after the argument or submission of the cause, and the judgment of the court shall be final and conclusive; and all cases shall stand for hearing at the first term after the transmission of the record.

18. IV.

It shall be the duty of the judges of the Court of Appeals, as soon after their election, under this Constitution, as practicable, to make and publish rules and regulations for the prosecution of appeals to said appellate court, whereby they shall prescribe the period within which appeals may be taken, what part or parts of the proceedings in the court be-

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low shall constitute the record on appeal, and the manner in which such appeals shall be brought to hearing or determination, and shall regulate, generally, the practice of said Court of Appeals, so as to prevent delays, and promote brevity in all records and proceedings brought into said court, and to abolish and avoid all unnecessary costs and expenses in the prosecution of appeals therein; and the said judges shall make such reductions in the fees and expenses of the said court as they may deem advisable. It shall also be the duty of said judges of the Court of Appeals, as soon after their election as practicable, to devise and promulgate, by rules or orders, forms and modes of framing and filing bills, answers and other proceedings and pleadings in equity; and also forms and modes of taking and obtaining evidence, to be used in equity cases; and to revise and regulate, generally, the practice in the Courts of Equity of this State, so as to prevent delays, and to promote brevity and conciseness in all pleadings and proceedings herein, and to abolish all unnecessary costs and expenses attending the same. And all rules and regulations hereby directed to be made shall, when made, have the force of law, until rescinded, changed or modified by the said judges or the General Assembly.

MISSOURI.

11. VI.

If, in any cause pending in the Supreme Court or the St. Louis Court of Appeals, the judges sitting shall be equally divided in opinion, no judgment shall be entered therein based on such division; but the parties to the cause may agree upon some per-

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son, learned in the law, to act as special judge in the cause, who shall therein sit with the court, and give decision in the same manner and with the same effect as one of the judges. If the parties cannot agree upon a special judge, the court shall appoint one.

12. VI.

There is hereby established in the city of St. Louis an appellate court, to be known as the "St. Louis Court of Appeals," the jurisdiction of which shall be co-extensive with the city of St. Louis and the counties of St. Louis, St. Charles, Lincoln and Warren. Said court shall have power to issue writs of habeas corpus, quo warranto, mandamus, certiorari, and other original and remedial writs, and to hear and determine the same, and shall have a superintending control over all inferior courts of record in said counties. Appeals shall lie from the decisions of the St. Louis Court of Appeals to the Supreme Court, and writs of error may issue from the Supreme Court to said court in the following cases only: In all cases where the amount in dispute, exclusive of costs, exceeds the sum of two thousand five hundred dollars; in cases involving the construction of the Constitution of the United States or of this State; in cases where the validity of a treaty or statute of or authority exercised under the United States is drawn in question; in cases involving the construction of the revenue laws of this State, or the title to any office under this State; in cases involving the title to real estate; in cases where a county or other political subdivision of the State or any State officer is a party and in all cases of felony.

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13. VI.

The St. Louis Court of Appeals shall consist of three judges, to be elected by the qualified voters of the city of St. Louis, and the counties of St. Louis, St. Charles, Lincoln and Warren, who shall hold their offices for the period of twelve years. They shall be residents of the district composed of said counties, shall possess the same qualifications as judges of the Supreme Court, and each shall receive the same compensation as is now, or may be, provided by law for the judges of the Circuit Court of St. Louis county, and be paid from the same sources: Provided, That each of said counties shall pay its proportional part of the same, according to its taxable property.

14. VI.

The judges of said court shall be conservators of the peace throughout said counties. Any two of said judges shall constitute a quorum. There shall be two terms of said court to be held each year, on the first Monday of March and October, and the first term of said court shall be held on the first Monday in January, 1876.

15. VI.

The opinions of said court shall be in writing, and shall be filed in the cases in which they shall be respectively made, and become parts of their record; and all laws relating to the practice in the Supreme Court shall apply to this court, so far as the same may be applicable.

16. VI.

At the first general election held in said city and counties after the adoption of this Constitution, three judges of said court shall be elected, who shall de-

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termine by lot the duration of their several terms of office, which shall be, respectively, four, eight and twelve years, and certify the result to the Secretary of State; and every four years thereafter one judge of said court shall be elected, to hold office for the term of twelve years. The term of office of such judges shall begin on the first Monday in January next ensuing their election. The judge having the oldest license to practice law in this State shall be the presiding judge of said court.

17. VI.

Upon the adoption of this Constitution the Governor shall appoint three judges for said court, who shall hold their offices until the first Monday of January, eighteen hundred and seventy-seven, and until their successors shall be duly qualified.

TEXAS.

4. V.

The Court of Criminal Appeals shall consist of three judges, any two of whom shall constitute a quorum, and the concurrence of two judges shall be necessary to a decision of said court; said judges shall have the same qualifications and receive the same salaries as the judges of the Supreme Court. They shall be elected by the qualified voters of the State at a general election, and shall hold their offices for a term of six years. In case of a vacancy in the office of a judge of the Court of Criminal Appeals, the Governor shall fill such vacancy by appointment for the unexpired term. The judges of the Court of Appeals who may be in office at the time when this amendment takes effect shall

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continue in office until the expiration of their term of office under the present Constitution and laws as judges of the Court of Criminal Appeals.

5. V.

The Court of Criminal Appeals shall have appellate jurisdiction co-extensive with the limits of the State in all criminal cases of whatever grade, with such exceptions and under such regulations as may be prescribed by law. The Court of Criminal Appeals and the judges thereof shall have the power to issue the writ of habeas corpus, and, under such regulations as may be prescribed by law, issue such writs as may be necessary to enforce its own jurisdiction. The Court of Criminal Appeals shall have power, upon affidavit or otherwise, to ascertain such matters of fact as may be necessary to the exercise of its jurisdiction. The Court of Criminal Appeals shall sit for the transaction of business from the first Monday in October to the last Saturday of June in each year, at the State capital and two other places (or the capital city) if the Legislature shall hereafter provide. The Court of Criminal Appeals shall appoint a clerk for each place at which it may sit, and each clerk shall give bond in such manner as is now or may hereafter be required by law, and who shall hold his office for four years unless sooner removed by the court for good cause, entered of record on the minutes of the said court.

6. V.

The Legislature shall, as soon as practicable after the adoption of this amendment, divide the State into not less than two or

Sec. Art.

more than three supreme judicial districts, and thereafter into such additional districts as the increase in population and business may require, and shall establish a Court of Civil Appeals in each of said districts, which shall consist of a chief justice and two associate justices, who shall have the qualifications as herein prescribed for justices of the Supreme Court. Said Court of Civil Appeals shall have appellate jurisdiction co-extensive with the limits of their respective districts, which shall extend to all civil cases of which the District Courts or County Courts have original or appellate jurisdiction, under such restrictions and regulations as may be prescribed by law: Provided, That the decision of said courts shall be conclusive on all questions of fact brought before them on appeal or error. Each of said Courts of Civil Appeals shall hold its sessions at a place in its district to be designated by the Legislature, and at such time as may be prescribed by law. Said justices shall be elected by the qualified voters of their respective districts, at a general election, for a term of six years, and shall receive for their services the sum of three thousand five hundred dollars per annum until otherwise provided by law. Said courts shall have such other jurisdiction, original and appellate, as may be prescribed by law. Each Court of Civil Appeals shall appoint a clerk, in the same manner as the clerk of the Supreme Court, which clerk shall receive such compensation as may be fixed by law. Until the organization of the Courts of Civil Appeals and Criminal Appeals, as herein provided for,

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the jurisdiction, power, and organization and location of the Supreme Court, the Court of Appeals, and the Commission of Appeals shall continue as they were before the adoption of this amendment. All civil cases which may be pending in the Court of Appeals shall, as soon as practicable after the organization of the Courts of Civil Appeals, be certified to and the records thereof transmitted to the proper Courts of Civil Appeals, to be decided by said courts. At the first session of the Supreme Court, the Court of Criminal Appeals, and such of the Courts of Civil Appeals which may be hereafter created under this article after the first election of the judges of such courts under this amendment, the terms of office of the judges of each court shall be divided into three classes, and justices thereof shall draw for the different classes. Those who shall draw class No. 1 shall hold their offices for two years, those drawing class No. 2 shall hold their offices for four years, and those who may draw class No. 3 shall hold their offices for six years from the date of their election, and until their successors are elected and qualified; and thereafter each of the said judges shall hold his office for six years, as provided in this Constitution.

VIRGINIA.

2. VI.

The Supreme Court of Appeals shall consist of five judges, any three of whom may hold a court. It shall have appellate jurisdiction only, except in cases of habeas corpus, mandamus, and prohibition. It shall not have jurisdiction in civil cases where

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the matter in controversy, exclusive of costs, is less in value or amount than five hundred dollars, except in controversies concerning the title of boundaries of land, the probate of a will, the appointment or qualification of a personal representative, guardian, committee or curator; or concerning a mill, roadway, ferry or landing; or the right of a corporation or of a county to levy tolls or taxes, and except in cases of habeas corpus, mandamus, and prohibition, or the constitutionality of a law: Provided, That the assent of a majority of the judges elected to the court shall be required in order to declare any law null and void by reason of its repugnance to the Federal Constitution or to the Constitution of this State.

3. VI.

Special Courts of Appeals, to consist of not less than three nor more than five judges, may be formed of the judges of the Supreme Court of Appeals and of the Circuit Courts, or any of them, to try any cases on the docket of said court in respect to which a majority of the judges thereof may be so situated as to make it improper for them to sit on the hearing of the same; also, to try any cases on the said docket which cannot be otherwise disposed of with convenient dispatch.

4. VI.

When a judgment or decree is reversed or affirmed by the Supreme Court of Appeals the reasons therefor shall be stated in writing and preserved with the records of the case.

5. VI.

The judges shall be chosen by the joint vote of the two houses

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of the General Assembly, and shall hold their office for a term of twelve years; they shall, when chosen, have held a judicial station in the United States or shall have practiced law in this or some other State for five years.

6. VI.

The officers of the Supreme Court of Appeals shall be appointed by the said court or by the judges thereof in vacation. Their duties, compensation and tenure of office shall be prescribed by law.

WEST VIRGINIA.

4. VIII.

No decision rendered by the Supreme Court of Appeals shall be considered as binding authority upon any of the inferior courts of this State, except in the particular case decided, unless such decision is concurred in by at least three judges of said court.

6. VIII.

A writ of error, supersedeas, or

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appeal shall be allowed only by the Supreme Court of Appeals, or a judge thereof, upon a petition assigning error in the judgment or proceedings of the inferior court, and then only after said court or judge shall have examined and considered the record and assignment of errors, and is satisfied that there is error in the same, or that it presents a point proper for the consideration of the Supreme Court of Appeals.

8. VII.

The officers of the Supreme Court of Appeals, except the reporter, shall be appointed by the court, or in vacation by the judges thereof, with the power of removal; their duties and compensation shall be prescribed by law.

WYOMING.

16. XXI.

Until otherwise provided by law, the seals now in use in the Supreme and District Courts of this Territory are hereby declared to be the seals of the Supreme and District Courts respectively of the State.

 Vacancies, how filled.

VACANCIES, HOW FILLED.

1 Sec. 8. When a vacancy shall occur otherwise than by
 2 expiration of term, in the office of Chief or Associate Judge of
 3 the Court of Appeals, the same shall be filled, for a full term,
 4 at the next general election happening not less than three
 5 months after such vacancy occurs; and until the vacancy shall
 6 be so filled, the Governor, by and with the advice and consent
 7 of the Senate, if the Senate shall be in session, or if not in
 8 session the Governor may fill such vacancy by appointment.
 9 If any such appointment of Chief Judge shall be made from
 10 among the Associate Judges, a temporary appointment of
 11 Associate Judge shall be made in like manner; but in such
 12 case, the person appointed Chief Judge shall not be deemed
 13 to vacate his office of Associate Judge any longer than until
 14 the expiration of his appointment as Chief Judge. The powers
 15 and jurisdiction of the court shall not be suspended for want
 16 of appointment or election, when the number of judges is
 17 sufficient to constitute a quorum. All appointments under
 18 this section shall continue until and including the last day of
 19 December next after the election at which the vacancy shall
 20 be filled.

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KENTUCKY.

122.

Should a vacancy occur in the office of the clerk of the Court of Appeals, or should the clerk be under charges, the Court of Ap-

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peals shall have power to appoint a clerk until the vacancy be filled, as provided in this Constitution, or until the clerk be acquitted.

Jurisdiction of Court of Appeals.

JURISDICTION OF COURT OF APPEALS.

1 Sec. 9. After the last day of December, one thousand
2 eight hundred and ninety-five, the jurisdiction of the Court
3 of Appeals, except where the judgment is of death, shall be
4 limited to the review of questions of law. No unanimous
5 decision of the Appellate Division of the Supreme Court that
6 there is evidence supporting or tending to sustain a finding
9 of fact or a verdict not directed by the court, shall be reviewed
8 by the Court of Appeals. Except where the judgment is of
9 death, appeals may be taken as of right, to said court only
10 from judgments or orders entered upon decisions of the Appel-
11 late Division of the Supreme Court, finally determining actions
12 or special proceedings, and from orders granting new trials
13 on exceptions, where the appellants stipulate that upon affirm-
14 ance judgment absolute shall be rendered against them. The
15 Appellate Division in any department may, however, allow an
16 appeal upon any question of law which, in its opinion, ought
17 to be reviewed by the Court of Appeals.

18 The Legislature may further restrict the jurisdiction of the
19 Court of Appeals and the right of appeal thereto, but the
20 right to appeal shall not depend upon the amount involved.

21 The provisions of this section shall not apply to orders made
22 or judgments rendered by any General Term before the last
23 day of December, one thousand eight hundred and ninety-five,
24 but appeals therefrom may be taken under existing provisions
25 of law.

JUDGES TO HOLD NO OTHER OFFICE.

1 Sec. 10. The judges of the Court of Appeals and the
 2 justices of the Supreme Court shall not hold any other office
 3 or public trust. All votes for any of them, for any other than
 4 a judicial office, given by the Legislature or the people, shall
 5 be void.

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CALIFORNIA.**2. VI.**

The Supreme Court shall consist of a chief justice and six associate justices. The court may sit in departments and in banc, and shall always be open for the transaction of business. There shall be two departments, denominated, respectively, Department One and Department Two. The chief justice shall assign three of the associate justices to each department, and such assignment may be changed by him from time to time. The associate justices shall be competent to sit in either department, and may interchange with each other by agreement among themselves, or as ordered by the chief justice. Each of the departments shall have the power to hear and determine causes, and all questions arising therein, subject to the provisions hereinafter contained in relation to the court in banc. The presence of three justices shall be necessary to transact any business in either of the departments, except such as may be done at chambers, and the concurrence of three justices shall be necessary to pronounce a judgment. The chief justice

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shall apportion the business to the departments, and may, in his discretion, order any cause pending before the court to be heard and decided by the court in banc. The order may be made before or after judgment pronounced by a department; but where a cause has been allotted to one of the departments, and a judgment pronounced thereon, the order must be made within thirty days after such judgment, and concurred in by two associate justices, and if so made it shall have the effect to vacate and set aside the judgment. Any four justices may, either before or after judgment by a department, order a case to be heard in banc. If the order be not made within the time above limited, the judgment shall be final. No judgment by a department shall become final until the expiration of the period of thirty days aforesaid, unless approved by the chief justice, in writing, with the concurrence of two associate justices. The chief justice may convene the court in banc at any time, and shall be the presiding justice of the court when so convened. The concurrence of four justices present at the argument shall be necessary

Judges to Hold no Other Office.

Sec. Art.

to pronounce a judgment in banc; but if four justices, so present, do not concur in a judgment, then all the justices qualified to sit in the cause shall hear the argument; but to render a judgment a concurrence of four judges shall be necessary. In the determination of causes, all decisions of the court, in banc or in departments, shall be given in writing, and the grounds of the decision shall be stated. The chief justice may sit in either department, and shall preside when so sitting, but the justices assigned to each department shall select one of their number as presiding justice. In case of the absence of the chief justice from the place at which the court is held, or his inability to act, the associate justices shall select one of their own number to perform the duties and exercise the powers of the chief justice during such absence or inability to act.

16. VI.

The justices of the Supreme Court and judges of the Superior Courts shall be ineligible to any other office or public employment than a judicial office or employment during the term for which they shall have been elected.

IDAHO.

7. V.

No justice of the Supreme Court shall be eligible to any other office of trust or profit under the laws of this State during the term for which he was elected.

INDIANA.

16. VII.

No person elected to any judicial office shall, during the term for which he shall have been elected, be eligible to any office of trust or profit under this State, other than a judicial office.

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MAINE.

6. VI.

The justices of the Supreme Judicial Court shall hold no office under the United States, nor any State, nor any other office under this State, except that of justice of the peace.

MASSACHUSETTS.

2.

No Governor, Lieutenant-Governor or judge of the Supreme Judicial Court shall hold any other office or place under the authority of this Commonwealth, except such as by this Constitution they are admitted to hold, saving that the judges of the said court may hold the offices of justices of the peace through the State; nor shall they hold any other place or office, or receive any pension or salary from any other State or government or power whatever. (See amendments, Art. VIII.)

No person shall be capable of holding or exercising at the same time, within this State, more than one of the following offices, viz.: Judge of probate, sheriff, register of probate, or register of deeds; and never more than any two offices, which are to be held by appointment of the Governor, or the Governor and Council, or the Senate, or the House of Representatives, or by the election of the people of the State at large, or of the people of any county, military offices, and the offices of justices of the peace excepted, shall be held by one person. No person holding the office of judge of the Supreme Judicial Court, Secretary, Attorney-General, Solicitor-General, Treasurer or Receiver-General, judge of probate, Commissary-General, (president, professor or in-

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structor of Harvard college), sheriff, clerk of the House of Representatives, register of probate, register of deeds, clerk of the Supreme Judicial Court, clerk of the Inferior Court of Common Pleas, or officers of the customs, including in this description naval officers, shall at the same time have a seat in the Senate or House of Representatives; but their being chosen or appointed to, and accepting the same, shall operate as a resignation of their seat in the Senate or House of Representatives; and the place so vacated shall be filled up.

(For further provisions as to incompatible offices, see amendments, Art. VIII. Officers of Harvard college excepted by amendments, Art. XXVII.)

And the same rule shall take place in case any judge of the said Supreme Judicial Court, or judge of probate, shall accept a seat in the Council; or any Councilor shall accept of either of those offices or places.

And no person shall ever be admitted to hold a seat in the Legislature, or any office of trust or importance under the government of this Commonwealth who shall, in the due course of law, have been convicted of bribery or corruption in obtaining an election or appointment.

Art. VIII. No judge of any court of this Commonwealth (except the Court of Sessions), and no person holding any office under the authority of the United States (postmasters excepted), shall, at the same time, hold the office of Governor, Lieutenant-Governor, or Councilor, or have a seat in the Senate or House of Representatives of this Com-

Sec. Art.

monwealth; and no judge of any court in this Commonwealth (except the Court of Sessions), nor the Attorney-General, Collector-General, county attorney, clerk of any court, sheriff, Treasurer, and Receiver-General, register of probate, nor register of deeds, shall continue to hold office after being elected a member of the Congress of the United States, and accepting that trust; but the acceptance of such trust, by any of the officers aforesaid, shall be deemed and taken to be a resignation of his said office; and judges of the Courts of Common Pleas shall hold no other office under the government of this Commonwealth, the office of justices of the peace and militia offices excepted.

MINNESOTA.

11. VI.

The justices of the Supreme Court and the District Courts shall hold no office under the United States, nor any other office under this State. And all votes for either of them for any elective office under this Constitution, except a judicial office given by the Legislature or the people, during their continuance in office, shall be void.

MONTANA.

35. VIII.

No justice of the Supreme Court or district judge shall hold any public office while he remains in the office to which he has been elected or appointed.

NEVADA.

11. VI.

The justices of the Supreme Court and the district judges shall be ineligible to any office other than a judicial office during the

Judges to Hold no Other Office.

Sec. Art.

term for which they shall have been elected; and all elections or appointments of any such judges by the people, Legislature or otherwise, during said period, to any office other than judicial, shall be void.

NEW HAMPSHIRE.

93.

No Governor or judge of the Supreme Judicial Court shall hold any office or place under the authority of this State, except such as by this Constitution they are admitted to hold, saving that the judges of the said court may hold the offices of justices of the peace throughout the State; nor shall they hold any place or office or receive any pension or salary from any other State, government or power whatever.

NORTH DAKOTA.

96. IV.

No duties shall be imposed by law upon the Supreme Court, or any of the judges thereof, except such as are judicial, nor shall any of the judges thereof exercise any power of appointment except as herein provided.

119. IV.

No judge of the Supreme or District Court shall be elected or appointed to any other than judicial offices, or be eligible thereto, during the term for which he was elected or appointed such judge. All votes or appointments for either of them for any elective or appointive office, except that of judge of the Supreme Court or District Court, given by the Legislative Assembly or the people, shall be void.

PENNSYLVANIA.

2. V.

The Supreme Court shall consist of seven judges, who shall be elected by the qualified electors

Sec. Art.

of the State at large. They shall hold their offices for the term of twenty-one years, if they so long behave themselves well, but shall not again be eligible. The judge whose commission shall first expire shall be chief justice, and thereafter each judge whose commission shall first expire shall in turn be chief justice.

3. V.

The jurisdiction of the Supreme Court shall extend over the State, and the judges thereof shall, by virtue of their offices, be justices of oyer and terminer and general jail delivery in the several counties; they shall have original jurisdiction in cases of injunction where a corporation is a party defendant, of habeas corpus, of mandamus to courts of inferior jurisdiction, and of quo warranto as to all officers of the Commonwealth whose jurisdiction extends over the State, but shall not exercise any other original jurisdiction; they shall have appellate jurisdiction by appeal, certiorari or writ of error in all cases, as is now or may hereafter be provided by law.

21. V.

No duties shall be imposed by law upon the Supreme Court or any of the judges thereof except such as are judicial, nor shall any of the judges thereof exercise any power or appointment except as herein provided. The court of nisi prius is hereby abolished, and no court of original jurisdiction to be presided over by any one or more of the judges of the Supreme Court shall be established.

SOUTH DAKOTA.

35. V.

No judge of the Supreme or Cir-

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cuit Courts shall be elected to any other than a judicial office or be eligible thereto during the term for which he was elected judge. All votes for either of them during such term for any elective office, except that of judge of the Supreme Court, Circuit Court or County Court, given by the Legislature or the people, shall be void.

VIRGINIA.**24. VI.**

Judges of the Supreme Court of Appeals and judges of the Circuit Courts shall not hold any other office of public trust during their continuance in office.

Sec. Art.**WASHINGTON.****15. IV.**

The judges of the Supreme Court and the judges of the Superior Court shall be ineligible to any other office or public employment than a judicial office, or employment, during the term for which they shall have been elected.

WYOMING.**27. V.**

No judge of the Supreme or District Court shall be elected or appointed to any other than judicial offices, or be eligible thereto, during the term for which he was elected as such judge.

Removals.

REMOVALS.

1 Sec. 11. Judges of the Court of Appeals and justices
 2 of the Supreme Court, may be removed by concurrent resolu-
 3 tion of both houses of the Legislature, if two-thirds of all the
 4 members elected to each house concur therein. All other
 5 judicial officers, except justices of the peace and judges or
 6 justices of inferior courts not of record, may be removed by
 7 the Senate, on the recommendation of the Governor, if two-
 8 thirds of all the members elected to the Senate concur therein.
 9 But no officer shall be removed by virtue of this section except
 10 for cause, which shall be entered on the journals, nor unless
 11 he shall have been served with a statement of the cause alleged,
 12 and shall have had an opportunity to be heard. On the ques-
 13 tion of removal, the yeas and nays shall be entered on the
 14 journal.

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ALABAMA.

24. VI.

The clerk of the Supreme Court and registers in chancery may be removed from office by the judges of the Supreme Court and chancellors respectively, for cause, to be entered at length upon the records of the court.

CALIFORNIA.

10. VI.

Justices of the Supreme Court and judges of the Superior Courts may be removed by concurrent resolution of both houses

Sec. Art.

of the Legislature, adopted by a two-thirds vote of each house. All other judicial officers, except justices of the peace, may be removed by the Senate on the recommendation of the Governor, but no removal shall be made by virtue of this section, unless the cause thereof be entered on the journal, nor unless the party complained of has been served with a copy of the complaint against him, and shall have had an opportunity of being heard in his defense. On the question

Removals.

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of removal, the ayes and noes shall be entered on the journal.

ILLINOIS.

30. VI.

The General Assembly may, for cause entered on the journals, upon due notice and opportunity of defense, remove from office any judge, upon concurrence of three-fourths of all the members elected, of each house. All other officers in this article mentioned shall be removed from office on prosecution and final conviction for misdemeanor in office.

INDIANA.

12. VII.

Any judge or prosecuting attorney, who shall have been convicted of corruption or other high crime, may, on information in the name of the State, be removed from office by the Supreme Court, or in such other manner as may be prescribed by law.

KANSAS.

15. III.

Justices of the Supreme Court and judges of the District Courts may be removed from office by resolution of both houses, if two-thirds of the members of each house concur. But no such removal shall be made except upon complaint, the substance of which shall be entered upon the journal, nor until the party charged shall have had notice and opportunity to be heard.

LOUISIANA.

93.

The judges of all courts shall be liable to impeachment for crimes and misdemeanors. For any reasonable cause the Governor shall remove any of them on the address of two-thirds of the members elected to each

Sec. Art.

house of the General Assembly. In every case the cause or causes for which such removal may be required shall be stated at length in the address and inserted in the journal of each house.

199.

For any reasonable cause the Governor shall remove any officer on the address of two-thirds of the members elected to each house of the General Assembly. In every such case, the cause or causes for which such removal may be required shall be stated at length in the address and inserted in the journal of each house.

MARYLAND.

4. IV.

Any judge shall be removed from office by the Governor, on conviction in a court of law, of incompetency or willful neglect of duty, misbehavior in office, or any other crime, or on impeachment, according to this Constitution, or the laws of the State, or on the address of the General Assembly, two-thirds of each house concurring in such address, and the accused having been notified of the charges against him, and having had opportunity of making his defense.

MICHIGAN.

6. XII.

For reasonable cause, which shall not be sufficient ground for the impeachment of a judge, the Governor shall remove him on a concurrent resolution of two-thirds of the members elected to each house of the Legislature, but the cause for which such removal is required shall be stated at length in such resolution.

Removals.

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MINNESOTA.**2. XIII.**

The Legislature of this State may provide for the removal of inferior officers from office, for malfeasance or misfeasance in the performance of their duties.

MISSISSIPPI.**53. IV.**

For reasonable cause, which shall not be sufficient ground of impeachment, the Governor shall on the joint address of two-thirds of each branch of the Legislature, remove from office the judges of the Supreme and inferior courts; but the cause or causes of removal shall be spread on the journal, and the party charged be notified of the same and have an opportunity to be heard by himself or counsel, or both, before the vote is finally taken and decided.

MISSOURI.**41. VI.**

In case of the inability of any judge of a court of record to discharge the duties of his office with efficiency, by reason of continued sickness, or physical or mental infirmity, it shall be in the power of the General Assembly, two-thirds of the members of each house concurring, with the approval of the Governor, to remove such judge from office; but each house shall state on its respective journal the cause for which it shall wish his removal, and give him notice thereof, and he shall have the right to be heard in his defense, in such manner as the General Assembly shall by law direct.

MONTANA.**18. V.**

All officers not liable to impeachment shall be subject to removal

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for misconduct or malfeasance in office, in such manner as may be provided by law.

NEVADA.**3. VII.**

For any reasonable cause, to be entered on the journals of each house, which may or may not be sufficient ground for impeachment, the chief justice and associate justices of the Supreme Court and the judges of the District Courts shall be removed from office on the vote of two-thirds of the members elected to either branch of the Legislature, and the justice or judge complained of shall be served with a copy of the complaint against him, and shall have an opportunity of being heard in person, or by counsel, in his defense: Provided, That no member of either branch of the Legislature shall be eligible to fill the vacancy occasioned by such removal.

NORTH CAROLINA.**31. IV.**

Any judge of the Supreme Court or of the Superior Courts, and the presiding officers of such courts inferior to the Supreme Court as may be established by law, may be removed from office for mental or physical inability, upon the concurrent resolution of two-thirds of both houses of the General Assembly. The judge or presiding officer, against whom the General Assembly may be about to proceed, shall receive notice thereof, accompanied by a copy of the causes alleged for his removal, at least twenty days before the day on which either house of the General Assembly shall act thereon.

OHIO.**17. IV.**

Judges may be removed from of-

Removals.

Sec. Art.

rice by concurrent resolution of both houses of the General Assembly, if two-thirds of the members elected to each house concur therein; but no such removal shall be made, except upon complaint, the substance of which shall be entered on the journal, nor, until the party charged shall have had notice thereof, and an opportunity to be heard.

OREGON.

20. IV.

The Governor may remove from office a judge of the Supreme Court, or prosecuting attorney, upon the joint resolution of the Legislative Assembly, of which two-thirds of the members elected to each house shall concur, for incompetency, corruption, malfeasance or delinquency in office, or other sufficient cause stated in such resolution.

SOUTH CAROLINA.

4. VII.

For any willful neglect of duty, or other reasonable cause, which shall not be sufficient grounds for impeachment, the Governor shall remove any executive or judicial officer on the address of two-thirds of each house of the General Assembly: Provided, That the cause, or causes, for which said removal may be required shall be stated at length in such address and entered on the journals of each house: And provided, further, That the officer intended to be removed shall be notified of such cause or causes, and shall be admitted to a hearing in his own defense, before any vote for such address; and in all cases the vote shall be taken by yeas and nays, and be entered on the journals of each house respectively.

Sec. Art.

TENNESSEE.

6. VI.

Judges and attorneys for the State may be removed from office by a concurrent vote of both houses of the General Assembly, each house voting separately; but two-thirds of the members to which each house may be entitled must concur in such vote; the vote shall be determined by ayes and noes, and the names of the members voting for or against the judge or attorney for the State, together with the cause or causes of removal, shall be entered on the journal of each house, respectively. The judge or attorney for the State, against whom the Legislature may be about to proceed, shall receive notice thereof, accompanied with a copy of the causes alleged for his removal, at least ten days before the day on which either house of the General Assembly shall act thereupon.

TEXAS.

24. V.

County judges, county attorneys, clerks of the District and County Courts, justices of the peace, constables, and other county officers, may be removed by the judges of the District Courts for incompetency, official misconduct, habitual drunkenness, or other causes defined by law, upon the cause therefor being set forth in writing, and the finding of its truth by a jury.

6. XV.

Any judge of the District Courts of the State who is incompetent to discharge the duties of his office, or who shall be guilty of impartiality or oppression, or other official misconduct, or whose habits and conduct are such as to render him unfit to hold such office, or who shall negligently fail to per-

Removals.

Sec. Art.

form his duties as judge, or who shall fail to execute in a reasonable measure the business in his courts, may be removed by the Supreme Court. The Supreme Court shall have original jurisdiction to hear and determine the causes aforesaid when presented in writing upon the oaths, taken before some judge of a court of record, of not less than ten lawyers, practicing in the courts held by such judge, and licensed to practice in the Supreme Court; said presentment to be founded either upon the knowledge of the persons making it or upon the written oaths as to the facts of creditable witnesses. The Supreme Court may issue all needful process and prescribe all needful rules to give effect to this section. Causes of this kind shall have precedence and be tried as soon as practicable.

8. XV.

The judges of the Supreme Court, Court of Appeals and District Courts shall be removed by the Governor on the address of two-thirds of each house of the Legislature, for wilful neglect of duty, incompetency, habitual drunkenness, oppression in office, or other reasonable cause, which shall not be sufficient ground for impeachment: Provided, however, That the cause or causes for which such removal shall be required shall be stated at length in such address and entered on the journals of each house; and provided further, That the cause or causes shall be notified to the judge so intended to be removed, and he shall be admitted to a hearing in his own defense before any vote for such address shall

Sec. Art.

pass; and in all such cases the vote shall be taken by yeas and nays and entered on the journals of each house respectively.

VIRGINIA.

23. VI.

Judges may be removed from office by a concurrent vote of both houses of the General Assembly, but a majority of all the members elected to each house must concur in such vote, and the cause of removal shall be entered on the journal of each house. The judge upon whom the General Assembly may be about to proceed shall have notice thereof, accompanied by a copy of the causes alleged for his removal, at least twenty days before the day on which either house of the General Assembly shall act thereon.

WASHINGTON.

9. IV.

Any judge of any court of record, the Attorney-General or any prosecuting attorney, may be removed from office by joint resolution of the Legislature, in which three-fourths of the members elected to each house shall concur, for incompetency, corruption, malfeasance or delinquency in office, or other sufficient cause stated in such resolution. But no removal shall be made unless the officer complained of shall have been served with a copy of the charges against him as the ground of removal, and shall have an opportunity of being heard in his defense. Such resolution shall be entered at length on the journal of both houses, and on the question of removal the yeas and nays shall also be entered on the journal.

Removals.

Sec. Art. WEST VIRGINIA.**17. VIII.**

Judges may be removed from office by a concurrent vote of both houses of the Legislature, when from age, disease, mental or bodily infirmity or intemperance they are incapable of discharging the duties of their office. But two-thirds of all the members elected to each house must concur in such vote, and the cause of removal shall be entered upon the journal of each house. The judge against whom the Legislature may be about to proceed shall receive notice thereof, accompanied with the cause alleged for his removal, at least twenty days before the day on which action is proposed to be taken therein.

Sec. Art.**WISCONSIN.****13. VII.**

Any judge of the Supreme or Circuit Court may be removed from office by address of both houses of the Legislature, if two-thirds of all the members-elect to each house concur therein; but no removal shall be made by virtue of this section unless the judge complained of shall have been served with a copy of the charges against him as the ground of address, and shall have had an opportunity of being heard in his defense. On the question of removal the ayes and noes shall be entered on the journals.

Compensation of Judges and Justices.

COMPENSATION OF JUDGES AND JUSTICES.

1 Sec. 12. The judges and justices hereinbefore men-
2 tioned shall receive for their services a compensation estab-
3 lished by law, which shall not be increased or diminished
4 during their official terms, except as provided in section five
5 of this article. No person shall hold the office of judge or
6 justice of any court longer than until and including the last
7 day of December next after he shall be seventy years of age.
8 No judge or justice elected after the first day of January, one
9 thousand eight hundred and ninety-four shall be entitled to
10 receive any compensation after the last day of December next
11 after he shall be seventy years of age; but the compensation
12 of every judge of the Court of Appeals or justices of the
13 Supreme Court elected prior to the first day of January, one
14 thousand eight hundred and ninety-four, whose term of office
15 has been, or whose present term of office shall be, so abridged,
16 and who shall have served as such judge or justice ten years
17 or more, shall be continued during the remainder of the term
18 for which he was elected; but any such judge or justice may,
19 with his consent, be assigned by the Governor, from time to
20 time, to any duty in the Supreme Court while his compensa-
21 tion is so continued.

Compensation of Judges and Justices.

Sec. Art.

ALABAMA.**10. VI.**

The judges of the Supreme Court, Circuit Courts, and chancellors, shall, at stated times, receive for their services a compensation, which shall not be diminished during their official terms, but they shall receive no fees or perquisites, nor hold any office (except judicial offices) of profit or trust under this State or the United States, or any other power, during the term for which they have been elected.

ARKANSAS.**10. VII.**

The Supreme judges shall at stated times receive a compensation for their services to be ascertained by law, which shall not be, after the adjournment of the next General Assembly, diminished during the time for which they shall have been elected. They shall not be allowed any fees or perquisites of office, nor hold any other office, nor hold any office of trust or profit under the State or the United States

CALIFORNIA.**17. VI.**

The justices of the Supreme Court and judges of the Superior Courts shall severally, at stated times during their continuance in office, receive for their services a compensation, which shall not be increased or diminished after their election, nor during the term for which they shall have been elected. The salaries of the justices of the Supreme Court shall be paid by the State. One-half of the salary of each Superior Court judge shall be paid by the State; the other half thereof shall be paid by the county for which he is elected. During the term of the first

Sec. Art.

Judges elected under this Constitution, the annual salaries of the justices of the Supreme Court shall be six thousand dollars each. Until otherwise changed by the Legislature, the Superior Court judges shall receive an annual salary of three thousand dollars each, payable monthly, except the judges of the city and county of San Francisco, and the counties of Alameda, San Joaquin, Los Angeles, Santa Clara, Yuba and Suter combined, Sacramento, Butte, Nevada, and Sonoma, who shall receive four thousand dollars each.

24. VI.

No judge of a Superior Court, nor of the Supreme Court, shall, after the first day of July, one thousand eight hundred and eighty, be allowed to draw or receive any monthly salary, unless he shall take and subscribe an affidavit before an officer entitled to administer oaths, that no cause in his court remains undecided that has been submitted for decision for the period of ninety days.

DELAWARE.**14. VI.**

The chancellor and judges shall respectively hold their offices during good behavior, and receive for their services a compensation which shall be fixed by law, and paid quarterly, and shall not be less than the following sums, that is to say: The annual salary of the chief justice shall not be less than the sum of one thousand two hundred dollars; and the annual salary of the chancellor shall not be less than the sum of one thousand one hundred dollars; and the annual salaries of the associate judges respectively,

Compensation of Judges and Justices.

Sec. Art.

shall not be less than the sum of one thousand dollars each. They shall hold no other office of profit, nor receive any fees or perquisites in addition to their salaries for business done by them. The Governor may, for any reasonable cause, in his discretion, remove any of them on the address of two-thirds of all the members of each branch of the General Assembly. In all cases where the Legislature shall so address the Governor, the cause of removal shall be entered on the journals of each house. The judge against whom the Legislature may be about to proceed shall receive notice thereof, accompanied with the cause alleged for his removal, at least five days before the day on which either house of the General Assembly shall act thereon.

GEORGIA.

13. VI.

Par. I. The judges of the Supreme Court shall have, out of the treasury of the State, salaries not to exceed three thousand dollars per annum; the judges of the Superior Courts shall have salaries not to exceed two thousand dollars per annum; the Attorney-General shall have a salary not to exceed two thousand dollars per annum; and the Solicitors-General shall each have salaries not to exceed two hundred and fifty dollars per annum; but the Attorney-General shall not have any fee or perquisites in any cases arising after the adoption of this Constitution; but the provisions of this section shall not affect the salaries of those now in office.

IDAHO.

17. V.

The salary of the justices of the

Sec. Art.

Supreme Court, until otherwise provided by the Legislature, shall be three thousand dollars each per annum, and the salary of the judges of the District Court, until otherwise provided by the Legislature, shall be three thousand dollars each per annum; and no justice of the Supreme Court or judge of the District Court shall be paid his salary, or any part thereof, unless he shall have first taken and subscribed an oath that there is not in his hands any matter in controversy not decided by him which had been finally submitted for his consideration and determination thirty days prior to the taking and subscribing such oath.

ILLINOIS.

7. VI.

From and after the adoption of this Constitution the judges of the Supreme Court shall each receive a salary of four thousand dollars per annum, payable quarterly, until otherwise provided by law. And after said salaries shall be fixed by law, the salaries of the judges in office shall not be increased or diminished during the terms for which said judges shall have been elected.

25. VI.

The judges of the Superior and Circuit Courts, and the State's attorney, in said county, shall receive the same salaries, payable out of the State treasury, as is or may be paid from said treasury to the Circuit judges and State's attorney of the State, and such further compensation, to be paid by the county of Cook, as is or may be provided by law. Such compensation shall not be changed during their continuance in office.

Compensation of Judges and Justices.

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INDIANA.**13. VII.**

The judges of the Supreme Court and Circuit Courts shall, at stated times, receive a compensation, which shall not be diminished during their continuance in office.

9. V.**IOWA.**

The salary of each judge of the Supreme Court shall be two thousand dollars per annum, and that of each District judge one thousand six hundred dollars per annum, until the year eighteen hundred and sixty; after which time they shall severally receive such compensation as the General Assembly may, by law, prescribe; which compensation shall not be increased or diminished during the term for which they shall have been elected.

KANSAS.**13. III.**

The justices of the Supreme Court and judges of the District Court shall, at stated times, receive for their services such compensation as may be provided by law, which shall not be increased during their respective terms of office: Provided, Such compensation shall not be less than fifteen hundred dollars to each justice or judge, each year, and such justices or judges shall receive no fees or perquisites nor hold any other office of profit or trust under the authority of the State, or the United States, during the term of office for which such justices and judges shall be elected, nor practice law in any of the courts in the State during their continuance in office.

LOUISIANA.**105.**

The judges of the Courts of Appeal shall each receive a salary

Sec. Art.

of four thousand dollars per annum, payable monthly on their respective warrants.

The General Assembly shall provide by law for the trial of recused cases in the Courts of Appeal.

Art. 145. The General Assembly, at its first session after the adoption of this Constitution, shall enact a fee bill for the clerks of the various courts, including the City Courts, sitting in New Orleans, and for the civil and criminal sheriffs, constables, register of conveyances and recorder of mortgages of said parish. In the same act provision shall be made for a system of stamps or stamped paper for the collection by the State, and not by said officers, of such fees and charges, so far as the clerks of courts, register of conveyances and recorder of mortgages are concerned.

MAINE.**2. VI.**

The justices of the Supreme Judicial Court shall, at stated times, receive a compensation, which shall not be diminished during their continuance in office, but they shall receive no other fee or reward.

MARYLAND.**45. III.**

The General Assembly shall provide a simple and uniform system of charges in the office of clerks of courts and registers of wills in the counties of this State and the city of Baltimore, and for the collection thereof: Provided, That the amount of compensation to any of the said officers, in the various counties, shall not exceed the sum of three thousand dollars a year, and in the city of Baltimore

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Sec. Art.

thirty-five hundred dollars a year, over and above office expenses and compensation to assistants; and provided further, that such compensation of clerks, registers, assistants and office expenses shall always be paid out of the fees or receipts of the offices, respectively.

24. IV.

The salary of each chief judge, and of the judge of the Court of Appeals from the city of Baltimore, shall be three thousand five hundred dollars, and of each associate judge of the Circuit Court shall be two thousand eight hundred dollars per annum, payable quarterly, and shall not be diminished during his continuance in office.

MICHIGAN.

9. VI.

Each of the judges of the Circuit Court shall receive a salary, payable quarterly. They shall be ineligible to any any other than a judicial office during the term for which they are elected, and for one year thereafter. All votes for any person elected such judge for any office other than judicial, given either by the Legislature or the people, shall be void.

5. XIX.

The Legislature may provide for the payment of the district judge a salary not exceeding one thousand dollars a year, and of the district attorney not exceeding seven hundred dollars a year; and may allow extra compensation to the members of the Legislature from such territory, not exceeding two dollars a day during any session.

MINNESOTA.

6. VI.

The judges of the Supreme and District Courts shall be men

Sec. Art.

learned in the law, and shall receive such compensation at stated times as may be prescribed by the Legislature, which compensation shall not be diminished during their continuance in office, but they shall receive no other fee or reward for their services.

MISSISSIPPI.

166. VI.

The judges of the Supreme Court, of the Circuit Courts and the chancellors shall receive for their services a compensation to be fixed by law, which shall not be increased or diminished during their continuance in office.

MISSOURI.

33. VI.

The judges of the Supreme, Appellate and Circuit Courts, and of all other courts of record receiving a salary, shall, at stated times, receive such compensation for their services as is or may be prescribed by law; but it shall not be increased or diminished during the period for which they were elected.

MONTANA.

29. VIII.

The justices of the Supreme Court and the judges of the District Courts shall each be paid quarterly by the State, a salary, which shall not be increased or diminished during the terms for which they shall have been respectively elected. Until otherwise provided by law, the salary of the justices of the Supreme Court shall be four thousand dollars per annum each, and the salary of the judges of the District Courts shall be three thousand five hundred dollars per annum each.

NEBRASKA.

13. VI.

The judges of the Supreme and

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District Courts shall each receive a salary of \$2,500 per annum, payable quarterly.

NEVADA.

15. VI.

The justices of the Supreme Court and District judges shall each receive, quarterly, for their services, a compensation to be fixed by law, and which shall not be increased or diminished during the term for which they shall have been elected, unless in case a vacancy occurs, in which case the successor of the former incumbent shall receive only such salary as may be provided by law at the time of his election or appointment; and provision shall be made by law for setting apart from each year's revenue a sufficient amount of money to pay such compensation: Provided, That District judges shall be paid out of the county treasuries of the counties composing their respective districts.

16. VI.

The Legislature, at its first session, and from time to time thereafter, shall provide by law that upon the institution of each civil action and other proceedings, and also upon the perfecting of an appeal in any civil action or proceeding in the several courts of record in this State, a special court fee or tax shall be advanced to the clerks of said courts, respectively, by the party or parties bringing such action or proceedings or taking such appeal; and the money so paid in shall be accounted for by such clerks, and applied toward the payment of the compensation of the judges of said courts, as shall be directed by law.

16. XVII.

The judges of the several Dis-

Sec. Art.

trict Courts of this State shall be paid, as hereinbefore provided, salaries at the following rates per annum: First judicial district (each judge), six thousand dollars; second judicial district, four thousand dollars; third judicial district, five thousand dollars; fourth judicial district, five thousand dollars; fifth judicial district, thirty-six hundred dollars; sixth judicial district, four thousand dollars; seventh judicial district, six thousand dollars; eighth judicial district, thirty-six hundred dollars; ninth judicial district, five thousand dollars.

17. XVII.

The salary of any judge in said judicial districts may, by law, be altered or changed, subject to the provisions contained in this Constitution.

NORTH CAROLINA.

18. IV.

The General Assembly shall prescribe and regulate the fees, salaries and emoluments of all officers provided for in this article; but the salaries of the judges shall not be diminished during their continuance in office.

NORTH DAKOTA.

99. IV.

The judges of the Supreme and District Courts shall receive such compensation for their services as may be prescribed by law, which compensation shall not be increased or diminished during the term for which a judge shall have been elected.

OHIO.

14. IV.

The judges of the Supreme Court (of the Circuit Court), and of the Court of Common Pleas, shall, at stated times, receive for their services such compensation as

Compensation of Judges and Justices.

Sec. Art.

shall be provided by law, which shall not be diminished or increased during their term of office; but they shall receive no fees or perquisites, nor hold any other office of profit or trust under the authority of this State or the United States. All votes for either of them for any elective office, except a judicial office, under the authority of this State, given by the General Assembly or the people, shall be void.

PENNSYLVANIA.

18. V.

The judges of the Supreme Court and the judges of the several Courts of Common Pleas, and all other judges required to be learned in the law, shall at stated times, receive for their services an adequate compensation, which shall be fixed by law, and paid by the State. They shall receive no other compensation, fees or perquisites of office for their services from any source, nor hold any other office of profit under the United States, this State or any other State.

RHODE ISLAND.

6. X.

The judges of the Supreme Court shall receive a compensation for their services, which shall not be diminished during their continuance in office.

SOUTH DAKOTA.

30. V.

The judges of the Supreme Court, Circuit Courts and County Courts shall each receive such salary as may be provided by law, consistent with this Constitution, and no such judge shall receive any compensation, perquisite or emoluments for or on account of his office in any form whatever, except such salary: Pro-

Sec. Art.

vided, That county judges may accept and receive such fees as may be allowed under the laws of the United States.

TENNESSEE.

7. VI.

The judges of the Supreme or inferior courts shall, at stated times, receive a compensation for their services, to be ascertained by law, which shall not be increased or diminished during the time for which they are elected. They shall not be allowed any fees or perquisites of office, nor hold any office of trust or profit under this State or the United States.

VIRGINIA.

22. VI.

All the judges shall be commissioned by the Governor, and shall receive such salaries and allowances as may be determined by law, the amount of which shall not be diminished during their term of office. Their terms of office shall commence on the first day of January next following their appointment, and they shall discharge the duties of their respective offices from their first appointment and qualification under this Constitution until their terms begin.

WASHINGTON.

14. IV.

Each of the judges of the Supreme Court shall receive an annual salary of four thousand dollars (\$4,000); each of the Superior Court judges shall receive an annual salary of three thousand dollars (\$3,000), which said salary shall be payable quarterly. The Legislature may increase the salaries of the judges herein provided.

Compensation of Judges and Justices.

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WEST VIRGINIA.**16. VIII.**

All judges shall be commissioned by the Governor. The salary of a judge of the Supreme Court of Appeals shall be two thousand two hundred dollars per annum, and that of a judge of the Circuit Court shall be one thousand eight hundred dollars per annum; and each shall receive the same mileage as members of the Legislature: Provided, That Ohio county may pay an additional sum per annum to the judges of the Circuit Court thereof; but such allowance shall not be increased or diminished during the term of office of the judge to whom it may have been made. No judge, during his term of office, shall practice the profession of law or hold any other office, appointment or public trust, under this or any other government, and the acceptance thereof shall vacate his judicial office. Nor shall he, during his continuance therein, be eligible to any political office.

WISCONSIN.**10. VII.**

Each of the judges of the Supreme and Circuit Courts shall receive a salary, payable quar-

Sec. Art.

terly, of not less than one thousand five hundred dollars annually; they shall receive no fees of office, or other compensation than their salaries; they shall hold no office of public trust, except a judicial office, during the term for which they are respectively elected, and all votes for either of them for any office except a judicial office, given by the Legislature or the people, shall be void. No person shall be eligible to the office of judge who shall not, at the time of his election, be a citizen of the United States, and have attained the age of twenty-five years, and be a qualified elector within the jurisdiction for which he may be chosen.

WYOMING.**17. V.**

The judges of the Supreme and District Courts shall receive such compensation for their services as may be prescribed by law, which compensation shall not be increased or diminished during the term for which a judge shall have been elected, and the salary of a judge of the Supreme or District Court shall be as may be prescribed by law.

Impeachment.

IMPEACHMENT.

1 Sec. 13. The Assembly shall have the power of impeach-
2 ment, by a vote of a majority of all the members elected.
3 The Court for the Trial of Impeachments shall be composed
4 of the President of the Senate, the Senators, or the major
5 part of them, and the judges of the Court of Appeals, or the
6 major part of them. On the trial of an impeachment against
7 the Governor or Lieutenant-Governor, the Lieutenant-Governor
8 shall not act as a member of the court. No judicial officer
9 shall exercise his office, after articles of impeachment against
10 him shall have been preferred to the Senate, until he shall
11 have been acquitted. Before the trial of an impeachment the
12 members of the court shall take an oath or affirmation truly
13 and impartially to try the impeachment according to the
14 evidence, and no person shall be convicted without the con-
15 currence of two-thirds of the members present. Judgment
16 in cases of impeachment shall not extend further than to
17 removal from office, or removal from office and disqualifica-
18 tion to hold and enjoy any office of honor, trust or profit
19 under this State; but the party impeached shall be liable to
20 indictment and punishment according to law.

Impeachment.

Sec. Art.

ALABAMA.**1. VII.**

The Governor, Secretary of State, Auditor, Treasurer, Attorney-General, Superintendent of Education and judges of the Supreme Court may be removed from office for willful neglect of duty, corruption in office, habitual drunkenness, incompetency, or any offense involving moral turpitude while in office, or committed under color thereof or connected therewith, by the Senate, sitting as a court for that purpose under oath or affirmation, on articles or charges preferred by the House of Representatives.

4. VII.

The penalties in cases arising under the three preceding sections shall not extend beyond removal from office, and disqualification from holding office under the authority of this State, for the term for which he was elected or appointed; but the accused shall be liable to indictment and punishment as prescribed by law.

ARKANSAS.**1. XV.**

The Governor and all the State officers judges of the Supreme and Circuit Courts, chancellors and prosecuting attorneys shall be liable to impeachment for high crimes and misdemeanors and gross misconduct in office, but the judgment shall go no further than removal from office and disqualification to hold any office of honor, trust or profit under this State. An impeachment, whether successful or not, shall be no bar to an indictment.

2. XV.

The House of Representatives shall have the sole power of impeachment. All impeachments

Sec. Art.

shall be tried by the Senate. When sitting for that purpose the Senators shall be upon oath or affirmation; no person shall be convicted without the concurrence of two-thirds of the members thereof. The chief justice shall preside unless he is impeached or otherwise disqualified, when the Senate shall select a presiding officer.

CALIFORNIA.**17. IV.**

The Assembly shall have the sole power of impeachment, and all impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be upon oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the members elected.

18. IV.

The Governor, Lieutenant-Governor, Secretary of State, Controller, Treasurer, Attorney-General, Surveyor-General, Chief Justice and Associate Justices of the Supreme Court and judges of the Superior Courts shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust or profit under the State; but the party convicted or acquitted shall, nevertheless, be liable to indictment, trial and punishment, according to law. All other civil officers shall be tried for misdemeanor in office in such manner as the Legislature may provide.

COLORADO.**1. XIII.**

The House of Representatives shall have the sole power of impeachment. The concurrence of a majority of all the members

Impeachment.

Sec. Art.

shall be necessary to an impeachment. All impeachments shall be tried by the Senate, and when sitting for that purpose the Senators shall be upon oath or affirmation to do justice according to law and evidence. When the Governor or Lieutenant-Governor is on trial, the Chief Justice of the Supreme Court shall preside. No person shall be convicted without a concurrence of two-thirds of the Senators elected.

2. XIII.

The Governor and other State and judicial officers, except county judges and justices of the peace, shall be liable to impeachment for high crimes or misdemeanors or malfeasance in office, but judgment in such cases shall only extend to removal from office and disqualification to hold any office of honor, trust or profit in the State. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment according to law.

CONNECTICUT.

1. IX.

The House of Representatives shall have the sole power of impeaching.

2. IX.

All impeachments shall be tried by the Senate. When sitting for that purpose, they shall be on oath or affirmation. No person shall be convicted without the concurrence of two-thirds of the members present. When the Governor is impeached the Chief Justice shall preside.

3. IX.

The Governor, and all other executive and judicial officers, shall be liable to impeachment; but judgments in such cases

Sec. Art.

shall not extend further than to removal from office and disqualification to hold any office of honor, trust or profit under this State. The party convicted shall, nevertheless, be liable and subject to indictment, trial and punishment according to law.

DELAWARE.

1. V.

The House of Representatives shall have the sole power of impeaching; but two-thirds of all the members must concur in an impeachment. All impeachments shall be tried by the Senate; and when sitting for that purpose, the Senators shall be upon oath or affirmation to do justice according to the evidence. No person shall be convicted without the concurrence of two-thirds of all the Senators.

2. V.

The Governor, and all other civil officers under this State, shall be liable to impeachment for treason, bribery, or any high crime or misdemeanor in office. Judgment in such cases shall not extend further than to removal from office, and disqualification to hold any office of honor, trust or profit under this State; but the party convicted shall nevertheless be subject to indictment, trial, judgment and punishment according to law.

3. V.

Treason against this State shall consist only in levying war against it, or in adhering to the enemies of the government, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Impeachment.

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FLORIDA.**29. III.**

The House of Representatives shall have the sole power of impeachment; but a vote of two-thirds of all members present shall be required to impeach any officer; and all impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be upon oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the Senators present. The Senate may adjourn to a fixed day for the trial of any impeachment, and may sit for the purpose of such trial whether the House of Representatives be in session or not, but the time fixed for such trial shall not be more than six months from the time articles of impeachment shall be preferred by the House of Representatives. The Chief Justice shall preside at all trials by impeachment, except in the trial of the Chief Justice, when the Governor shall preside. The Governor, administrative officers of the executive department, justices of the Supreme Court, and judges of the Circuit Court, shall be liable to impeachment for any misdemeanor in office, but judgment in such cases shall extend only to removal from office, and disqualification to hold any office of honor, trust or profit under the State; but the party convicted or acquitted shall, nevertheless, be liable to indictment, trial and punishment according to law.

GEORGIA.**5. III.**

Par. III. The Senate shall have the sole power to try impeachments.

Par. IV. When sitting for that purpose, the members shall be

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on oath, or affirmation, and shall be presided over by the chief justice, or the presiding justice of the Supreme Court. Should the chief justice be disqualified, the Senate shall select the judge of the Supreme Court to preside. No person shall be convicted without the concurrence of two-thirds of the members present.

Par. V. Judgments, in case of impeachment, shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, trust or profit, within this State; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment according to law.

6. III.

Par. III. The House of Representatives shall have the sole power to impeach all persons who shall have been, or may be, in office.

IDAHO.**3. V.**

The court for the trial of impeachments shall be the Senate. A majority of the members elected shall be necessary to a quorum, and the judgment shall not extend beyond removal from and disqualification to hold office in this State; but the party shall be liable to indictment and punishment according to law.

4. V.

The House of Representatives solely shall have the power of impeachment. No person shall be convicted without the concurrence of two-thirds of the Senators elected. When the Governor is impeached the chief justice shall preside.

ILLINOIS.**24. V.**

The House of Representatives shall have the sole power of

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Impeachment; but a majority of all the members elected must concur therein. All impeachments shall be tried by the Senate; and when sitting for that purpose the Senators shall be upon oath or affirmation to do justice according to law and evidence. When the Governor of the State is tried, the chief justice shall preside. No person shall be convicted without the concurrence of two-thirds of the Senators elected. But judgment, in such cases, shall not extend further than removal from office, and disqualification to hold any office of honor, profit or trust under the government of this State. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment according to law.

IOWA.**20. III.**

The Governor, judges of the Supreme and District Courts, and other State officers, shall be liable to impeachment for any misdemeanor or malfeasance in office; but judgment in such cases shall extend only to removal from office, and disqualification to hold any office of honor, trust, or profit, under this State; but the party convicted or acquitted shall nevertheless be liable to indictment, trial and punishment, according to law. All other civil officers shall be tried for misdemeanors and malfeasance in office, in such manner as the General Assembly may provide.

KANSAS.**27. II.**

The House of Representatives shall have the sole power to impeach. All impeachments shall be tried by the Senate; and

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when sitting for that purpose, the Senators shall take an oath to do justice according to the law and the evidence. No person shall be convicted without the concurrence of two-thirds of the Senators elected.

28. II.

The Governor and all other officers under this Constitution, shall be subject to impeachment for any misdemeanor in office; but judgment in all such cases shall not be extended further than to removal from office and disqualification to hold any office of profit, honor or trust under this Constitution; but the party, whether acquitted or convicted, shall be liable to indictment, trial, judgment and punishment, according to law.

KENTUCKY.**66.**

The House of Representatives shall have the sole power of impeachment.

67.

All impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be upon oath or affirmation. No person shall be convicted without the concurrence of two-thirds of the Senators present.

68.

The Governor and all civil officers shall be liable to impeachment for any misdemeanors in office; but judgment in such cases shall not extend further than removal from office, and disqualification to hold any office of honor, trust or profit under this Commonwealth; but the party convicted shall, nevertheless, be subject and liable to indictment, trial and punishment by law.

109.

The judicial power of the Commonwealth, both as to matters

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of law and equity, shall be vested in the Senate when sitting as a court of impeachment, and one Supreme Court (to be styled the Court of Appeals), and the courts established by this Constitution.

LOUISIANA.

Art. 196. The Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Attorney-General, Superintendent of Public Education and the judges of all the courts of record in this State shall be liable to impeachment for high crimes and misdemeanors, for non-feasance or malfeasance in office, for incompetency, for corruption, favoritism, extortion or oppression in office, or for gross misconduct or habitual drunkenness.

197.

The House of Representatives shall have the sole power of impeachment. All impeachments shall be tried by the Senate; when sitting for that purpose, the Senators shall be upon oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the Senators present. When the Governor of the State is on trial, the chief justice or the senior associate justice of the Supreme Court shall preside.

Judgment in cases of impeachment shall extend only to removal from office and disqualification from holding any office of honor, trust or profit under the State; but the party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial and punishment according to law.

198.

All officers against whom articles

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of impeachment may be preferred shall be suspended from the exercise of the functions of their office during the pendency of such impeachment, and, except in case of the impeachment of the Governor, the appointing power shall make a provisional appointment to replace any suspended officer until the decision of the impeachment.

Art. 200. For any of the causes specified in article 196, judges of the Court of Appeals, of the District Courts throughout the State and of the City Courts of the parish of Orleans may be removed from office by judgment of the Supreme Court of this State in a suit instituted by the Attorney-General or a district attorney in the name of the State, on his relation. The Supreme Court is hereby vested with original jurisdiction to try such causes; and it is hereby made the duty of the Attorney-General or of any district attorney to institute such suit on the written request and information of fifty citizens and taxpayers residing within the territorial limits of the district or circuit over which the judge against whom the suit is brought exercises the functions of his office. Such suits shall be tried, after citation and ten days delay for answering, in preference to all other suits, and wherever the court may be sitting; but the pendency of such suit shall not operate a suspension from office. In all cases where the officer sued, as above directed, shall be acquitted, judgment shall be rendered jointly and in solido against the citizens signing the request, for all costs of the suit.

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MAINE.

7. IV.

The Senate shall have the sole power to try all impeachments, and when sitting for that purpose shall be on oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the members present. Their judgment, however, shall not extend further than to removal from office, and disqualification to hold or enjoy any office of honor, trust or profit under this State. But the party, whether convicted or acquitted, shall, nevertheless, be liable to indictment, trial, judgment and punishment according to law.

8. IV.

The House of Representatives shall have the sole power of impeachment.

5. IX.

Every person holding any civil office under this State, may be removed by impeachment, for misdemeanor in office; and every person holding any office, may be removed by the Governor, with the advice of the Council, on the address of both branches of the Legislature. But before such address shall pass either house, the causes of removal shall be stated and entered on the journal of the house in which it originated, and a copy thereof served on the person in office, that he may be admitted to a hearing in his defense.

MARYLAND.

26. III.

The House of Delegates shall have the sole power of impeachment in all cases; but a majority of all the members elected must concur in the impeachment. All impeachments shall be tried by the Senate,

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and when sitting for that purpose, the Senators shall be on oath or affirmation to do justice according to the law and the evidence; but no person shall be convicted without the concurrence of two-thirds of all the Senators elected.

MASSACHUSETTS.

2.

VIII. The Senate shall be a court with full authority to hear and determine all impeachments made by the House of Representatives, against any officer or officers of the Commonwealth, for misconduct and mal-administration in their offices. But previous to the trial of every impeachment the members of the Senate shall respectively be sworn, truly and impartially, to try and determine the charge in question, according to evidence. Their judgment, however, shall not extend further than to removal from office and disqualification to hold or enjoy any place of honor, trust or profit under this Commonwealth; but the party so convicted shall be, nevertheless, liable to indictment, trial, judgment and punishment, according to the laws of the land.

3.

VI. The House of Representatives shall be the grand inquest of this Commonwealth; and all impeachments made by them shall be heard and tried by the Senate.

MICHIGAN.

1. XII.

The House of Representatives shall have the sole power of impeaching civil officers for corrupt conduct in office, or for crimes or misdemeanors; but a majority of the members elected

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shall be necessary to direct an impeachment.,

2. XII.

Every impeachment shall be tried by the Senate. When the Governor or Lieutenant-Governor is tried, the chief justice of the Supreme Court shall preside. When an impeachment is directed, the Senate shall take an oath or affirmation truly and impartially to try and determine the same according to the evidence. No person shall be convicted without the concurrence of two-thirds of the members elected. Judgment in case of impeachment shall not extend further than removal from office; but the party convicted shall be liable to punishment according to law.

3. XII.

When an impeachment is directed, the House of Representatives shall elect from their own body three members, whose duty it shall be to prosecute such impeachment. No impeachment shall be tried until the final adjournment of the Legislature, when the Senate shall proceed to try the same.

4. XII.

No judicial officer shall exercise his office after an impeachment is directed, until he is acquitted.

MINNESOTA.**14. IV.**

The House of Representatives shall have the sole power of impeachment, through a concurrence of a majority of all the members elected to seats therein. All impeachments shall be tried by the Senate; and when sitting for that purpose the Senators shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the

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concurrence of two-thirds of the members present.

1. XIII.

The Governor, Secretary of State, Treasurer, Auditor, Attorney-General, and the judges of the Supreme and District Courts, may be impeached for corrupt conduct in office, or for crimes and misdemeanors; but judgment in such case shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust or profit in this State. The party convicted thereof shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment, according to law.

3. XIII.

No officer shall exercise the duties of his office after he shall have been impeached and before his acquittal.

4. XIII.

On the trial of an impeachment against the Governor, the Lieutenant-Governor shall not act as a member of the court.

5. XIII.

No person shall be tried on impeachment before he shall have been served with a copy thereof, at least twenty days previous to the day set for trial.

MISSISSIPPI.**49. IV.**

The House of Representatives shall have the sole power of impeachment; but two-thirds of all the members present must concur therein. All impeachments shall be tried by the Senate, and, when sitting for that purpose, the Senators shall be sworn to do justice according to law and the evidence.

50. IV.

The Governor, and all other civil

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officers of this State, shall be liable to impeachment for treason, bribery, or any high crime or misdemeanor in office.

51. IV.

Judgment in such cases shall not extend further than removal from office, and disqualification to hold any office of honor, trust or profit in this State; but the party convicted shall, nevertheless, be subject to indictment, trial, judgment and punishment according to law.

52. IV.

When the Governor shall be tried, the chief justice of the Supreme Court shall preside; and when the chief justice is disabled, disqualified, or refuses to act, the judge of the Supreme Court next oldest in commission, shall preside; and no person shall be convicted without the concurrence of two-thirds of all the Senators present.

MISSOURI.

2. VII.

The House of Representatives shall have the sole power of impeachment. All impeachments shall be tried by the Senate, and when sitting for that purpose the Senators shall be sworn to do justice according to law and evidence. When the Governor of the State is on trial, the chief justice of the Supreme Court shall preside. No person shall be convicted without the concurrence of two-thirds of the Senators present. But judgment in such case shall not extend any further than removal from office, disqualification to hold any office of honor, trust or profit under this State. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment according to law.

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MONTANA.

16. V.

The sole power of impeachment shall vest in the House of Representatives; the concurrence of a majority of all the members being necessary to the exercise thereof. Impeachment shall be tried by the Senate sitting for that purpose, and the Senators shall be upon oath or affirmation to do justice according to law and evidence. When the Governor or Lieutenant-Governor is on trial, the chief justice of the Supreme Court shall preside. No person shall be convicted without a concurrence of two-thirds of the Senators elected.

17. V.

The Governor and other State and judicial officers, except justices of the peace, shall be liable to impeachment for high crimes and misdemeanors or malfeasance in office, but judgment in such cases shall only extend to removal from office and disqualification to hold any office of honor, trust or profit under the laws of the State. The party whether convicted or acquitted, shall, nevertheless, be liable to prosecution trial, judgment and punishment according to law.

NEBRASKA.

14. V.

The Senate and House of Representatives, in joint convention, shall have the sole power of impeachment, but a majority of the members elect must concur therein. Upon the entertainment of a resolution to impeach by either house, the other house shall at once be notified thereof, and the two houses shall meet in joint convention for the purpose of acting upon such resolution within three

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days of such notification. A notice of an impeachment of any officer other than a justice of the Supreme Court shall be forthwith served upon the chief justice by the Secretary of the Senate, who shall thereupon call a session of the Supreme Court to meet at the capital within ten days after such notice to try the impeachment. A notice of an impeachment of a justice of the Supreme Court shall be served by the Secretary of the Senate upon the judge of the judicial district within which the capital is located, and he thereupon shall notify all the judges of the District Court in the State to meet with him within thirty days at the capital, to sit as a court to try such impeachment, which court shall organize by electing one of its members to preside. No person shall be convicted without the concurrence of two-thirds of the members of the court of impeachment, but judgment in cases of impeachment shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, profit, trust, in this State, but the party impeached, whether convicted or acquitted, shall nevertheless be liable to prosecution and punishment according to law. No officer shall exercise his official duties after he shall have been impeached and notified thereof, until he shall have been acquitted.

NEVADA.

1. VII.

The Assembly shall have the sole power of impeaching. The concurrence of a majority of all the members elected shall be necessary to an impeachment. All impeachments shall be tried by the Senate, and, when sitting for that purpose, the Senators shall be upon oath or affirmation to do justice according to law and evidence. The chief

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justice of the Supreme Court shall preside over the Senate while sitting to try the Governor or Lieutenant-Governor upon impeachment. No person shall be convicted without the concurrence of two-thirds of the Senators elected.

2. VII.

The Governor and other State and judicial officers, except justices of the peace, shall be liable to impeachment for misdemeanor or malfeasance in office; but judgment in such case shall not extend further than removal from office and disqualification to hold any office of honor, profit or trust under this State. The party, whether convicted or acquitted, shall, nevertheless, be liable to indictment, trial, judgment and punishment according to law.

NEW HAMPSHIRE.

Art. 17. The House of Representatives shall be the grand inquest of the State and all impeachments made by them shall be heard and tried by the Senate.

Art. 38. The Senate shall be a court, with full power and authority to hear, try and determine all impeachments made by the House of Representatives against any officer or officers of the State for bribery, corruption, malpractice or maladministration in office, with full power to issue summons or compulsory process for convening witnesses before them; but, previous to the trial of any such impeachment, the members of the Senate shall respectively be sworn truly and impartially to try and determine the charge in question, according to evidence. And every officer impeached for bribery, corruption, malpractice, or maladministration in office shall be served with an attested copy of the impeachment and order of Senate thereon, with such citation as the Senate may direct, setting forth the time and place of their sitting to try the impeachment; which service

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shall be made by the sheriff or such other sworn officer as the Senate may appoint, at least fourteen days previous to the time of trial; and, such citation being duly served and returned, the Senate may proceed in the hearing of the impeachment, giving the person impeached, if he shall appear, full liberty of producing witnesses and proofs and of making his defense by himself and counsel; and may, also, upon his refusing or neglecting to appear, hear the proofs in support of the impeachment, and render judgment thereon, his non-appearance notwithstanding; and such judgment shall have the same force and effect as if the person impeached had appeared and pleaded in the trial.

Art. 39. Their judgment, however, shall not extend further than removal from office, disqualification to hold or enjoy any place of honor, trust or profit under this State; but the party so convicted shall, nevertheless, be liable to indictment, trial, judgment and punishment according to the laws of the land.

Art. 40. Whenever the Governor shall be impeached, the Chief Justice of the Supreme Judicial Court shall, during the trial, preside in the Senate, but have no vote therein.

Art. 63. The members of the Council may be impeached by the House and tried by the Senate for bribery, corruption, malpractice or maladministration.

NEW JERSEY.

3. VI.

First. The House of Assembly shall have the sole power of impeaching, by vote of a majority of all the members; and all impeachments shall be tried by the Senate. The members, when

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sitting for that purpose, to be on oath, or affirmation, "truly and impartially to try and determine the charge in question according to evidence;" and no person shall be convicted without the concurrence of two-thirds of all the members of the Senate.

Second. Any judicial officer impeached shall be suspended from exercising his office until his acquittal.

Third. Judgment in cases of impeachment shall not extend farther than to removal from office, and to disqualification to hold and enjoy any office of honor, profit or trust under this State; but the party convicted shall, nevertheless, be liable to indictment, trial and punishment according to law.

Fourth. The Secretary of State shall be the clerk of this court.

NORTH CAROLINA.

3. IV.

The court for the trial of impeachments shall be the Senate. A majority of the members shall be necessary to a quorum, and the judgment shall not extend beyond removal from and disqualification to hold office in this State; but the party shall be liable to indictment and punishment according to law.

4. IV.

The House of Representatives solely shall have the power of impeaching. No person shall be convicted without the concurrence of two-thirds of the Senators present. When the Governor is impeached, the chief justice shall preside.

NORTH DAKOTA.

194. XIV.

The House of Representatives shall have the sole power of impeachment. The concurrence of

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a majority of all members elected shall be necessary to an impeachment.

195. XIV.

All impeachments shall be tried by the Senate. When sitting for that purpose the Senators shall be upon oath or affirmation to do justice according to the law and evidence. No person shall be convicted without the concurrence of two-thirds of the members elected. When the Governor or Lieutenant-Governor is on trial, the presiding judge of the Supreme Court shall preside.

196. XIV.

The Governor and other State and judicial officers, except county judges, justices of the peace and police magistrates, shall be liable to impeachment for habitual drunkenness, crimes, corrupt conduct, or malfeasance or misdemeanor in office; but judgment in such cases shall not extend further than removal from office and disqualification to hold any office of trust or profit under the State. The person accused, whether convicted or acquitted, shall, nevertheless, be liable to indictment, trial, judgment and punishment according to law.

198. XIV.

No officer shall exercise the duties of his office after he shall have been impeached and before his acquittal.

199. XIV.

On trial of impeachment against the Governor, the Lieutenant-Governor shall not act as a member of the court.

200. XIV.

No person shall be tried on impeachment before he shall have been served with a copy thereof, at least twenty days previous to the day set for trial.

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201. XIV.

No person shall be liable to impeachment twice for the same offense.

OHIO.

23. II.

The House of Representatives shall have the sole power of impeachment, but a majority of the members elected must concur therein. Impeachments shall be tried by the Senate; and the Senators, when sitting for that purpose, shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of the Senators.

24. II.

The Governor, judges, and all State officers, may be impeached for any misdemeanor in office; but judgment shall not extend further than removal from office, and disqualification to hold any office under the authority of this State. The party impeached, whether convicted or not, shall be liable to indictment, trial and judgment, according to law.

OREGON.

19. VII.

Public officers shall not be impeached; but incompetency, corruption, malfeasance or delinquency in office may be tried in the same manner as criminal offenses, and judgment may be given of dismissal from office, and such further punishment as may have been prescribed by law.

PENNSYLVANIA.

1. VI.

The House of Representatives shall have the sole power of impeachment.

2. VI.

All impeachments shall be tried by the Senate; when sitting for

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that purpose the Senators shall be upon oath or affirmation; no person shall be convicted without the concurrence of two-thirds of the members present.

3. VI.

The Governor and all other civil officers shall be liable to impeachment for any misdemeanor in office, but judgment in such case shall not extend further than to removal from office and disqualification to hold any office of trust or profit under this Commonwealth; the person accused, whether convicted or acquitted, shall, nevertheless, be liable to indictment, trial, judgment and punishment according to law.

4. VI.

All officers shall hold their offices on the condition that they behave themselves well while in office, and shall be removed on conviction of misbehavior in office or of any infamous crime. Appointed officers, other than judges of the courts of record and the Superintendent of Public Instruction, may be removed at the pleasure of the power by which they shall have been appointed. All officers elected by the people, except Governor, Lieutenant-Governor, Members of the General Assembly and judges of the courts of record learned in the law, shall be removed by the Governor for reasonable cause, after due notice and full hearing, on the address of two-thirds of the Senate.

RHODE ISLAND.

1. XI.

The House of Representatives shall have the sole power of impeachment. A vote of two-thirds of all the members elected shall be required for an impeachment of the Governor.

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Any officer impeached shall thereby be suspended from office until judgment in the case shall have been pronounced.

2. XI.

All impeachments shall be tried by the Senate; and when sitting for that purpose, they shall be under oath or affirmation. No person shall be convicted except by vote of two-thirds of the members elected. When the Governor is impeached, the chief or presiding justice of the Supreme Court, for the time being, shall preside, with a casting vote in all preliminary questions.

3. XI.

The Governor and all other executive and judicial officers shall be liable to impeachment; but judgment in such cases shall not extend further than to removal from office. The person convicted shall, nevertheless, be liable to indictment, trial and punishment, according to law.

SOUTH CAROLINA.

1. VII.

The House of Representatives shall have the sole power of impeachment. A vote of two-thirds of all the members elected shall be required for an impeachment, and any officer impeached shall thereby be suspended from office until the judgment in the case shall have been pronounced.

2. VII.

All impeachments shall be tried by the Senate, and when sitting for that purpose they shall be under oath or affirmation. No person shall be convicted except by vote of two-thirds of all the members elected. When the Governor is impeached, the chief justice of the Supreme

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Court, or the senior judge, shall preside, with a casting vote in all preliminary questions.

3. VII.

The Governor and all other executive and judicial officers shall be liable to impeachment; but judgment in such case shall not extend further than removal from office. The persons convicted shall, nevertheless, be liable to indictment, trial and punishment according to law.

SOUTH DAKOTA.**1. XVI.**

The House of Representatives shall have the sole power of impeachment.

The concurrence of a majority of all members elected shall be necessary to an impeachment.

2. XVI.

All impeachments shall be tried by the Senate. When sitting for that purpose the Senators shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of the members elected. When the Governor or Lieutenant-Governor is on trial the presiding judge of the Supreme Court shall preside.

3. XVI.

The Governor and other State and judicial officers, except county judges, justices of the peace and police magistrates, shall be liable to impeachment for drunkenness, crimes, corrupt conduct, or malfeasance or misdemeanor in office; but judgment in such cases shall not extend further than to removal from office and disqualification to hold any office of trust or profit under the State. The person accused, whether convicted

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or acquitted, shall, nevertheless, be liable to indictment, trial, judgment and punishment according to law.

4. XVI.

All officers not liable to impeachment shall be subject to removal for misconduct or malfeasance or crime, or misdemeanor in office, or for drunkenness or gross incompetency, in such manner as may be provided by law.

5. XVI.

No officer shall exercise the duties of his office after he shall have been impeached and before his acquittal.

6. XVI.

On trial of an impeachment against the Governor the Lieutenant-Governor shall not act as a member of the court.

7. XVI.

No person shall be tried on impeachment before he shall have been served with a copy thereof at least twenty days previous to the day set for trial.

8. XVI.

No person shall be liable to impeachment twice for the same offense.

TENNESSEE.**1. V.**

The House of Representatives shall have the sole power of impeachment.

2. V.

All impeachments shall be tried by the Senate. When sitting for that purpose the Senators shall be upon oath or affirmation, and the Chief Justice of the Supreme Court, or if he be on trial, the senior associate judge, shall preside over them. No person shall be convicted without the concurrence of two-thirds of the Senators sworn to try the officer impeached.

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3. V.

The House of Representatives shall elect, from their own body, three members, whose duty it shall be to prosecute impeachments. No impeachment shall be tried until the Legislature shall have adjourned sine die, when the Senate shall proceed to try such impeachment.

4. V.

The Governor, judges of the Supreme Court, judges of the inferior courts, chancellors, attorneys for the State, Treasurer, Comptroller and Secretary of State shall be liable to impeachment whenever they may, in the opinion of the House of Representatives, commit any crime in their official capacity which may require disqualification; but judgment shall only extend to removal from office and disqualification to fill any office thereafter. The party shall, nevertheless, be liable to indictment, trial, judgment and punishment according to law. The Legislature now has, and shall continue to have, power to relieve from the penalties imposed any person disqualified from holding office by the judgment of a court of impeachment.

5. V.

Justices of the peace and other civil officers, not hereinbefore mentioned, for crimes or misdemeanors in office, shall be liable to indictment in such courts as the Legislature may direct; and, upon conviction, shall be removed from office by said court, as if found guilty on impeachment; and shall be subject to such other punishment as may be prescribed by law.

TEXAS.

1. XV.

The power of impeachment shall

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be vested in the House of Representatives.

2. XV.

Impeachment of the Governor, Lieutenant-Governor, Attorney-General, Treasurer, Commissioner of the General Land Office, Comptroller and the judges of the Supreme Court, Court of Appeals and District Courts, shall be tried by the Senate.

3. XV.

When the Senate is sitting as a court of impeachment, the Senators shall be on oath, or affirmation, impartially to try the party impeached, and no person shall be convicted without the concurrence of two-thirds of the Senators present.

4. XV.

Judgment in cases of impeachment shall extend only to removal from office, and disqualification from holding any office of honor, trust or profit under this State. A party convicted on impeachment shall also be subject to indictment, trial and punishment, according to law.

5. XV.

All officers against whom articles of impeachment may be preferred shall be suspended from the exercise of the duties of their office during the pendency of such impeachment. The Governor may make a provisional appointment to fill the vacancy occasioned by the suspension of an officer until the decision on the impeachment.

VERMONT.

VII.

The Senate shall have the sole power of trying and deciding upon all impeachments. When sitting for that purpose they shall be on oath, or affirmation, and no person shall be convicted

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without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office and disqualification to hold or enjoy any office of honor, or profit, or trust, under this State. But the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment, according to law.

24.

Every officer of State, whether judicial or executive, shall be liable to be impeached by the General Assembly, either when in office, or after his resignation, or removal for maladministration. All impeachments shall be before the Governor, or Lieutenant-Governor and Council, who shall hear and determine the same, and may award costs; and no trial or impeachment shall be a bar to a prosecution at law.

3. XXV.

The House of Representatives shall have all the power now possessed by the Council of Censors to order impeachments, which shall, in all cases, be by a vote of two-thirds of its members.

16. V.

VIRGINIA.

The Governor, Lieutenant-Governor, judges, and all others offending against the State by maladministration, corruption, neglect of duty or other high crime or misdemeanor, shall be impeachable by the House of Delegates, and be prosecuted before the Senate, which shall have the sole power to try impeachments. When sitting for that purpose they shall be on oath or affirmation, and no person shall be convicted without the concurrence of two-thirds

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of the members present. Judgment in case of impeachment shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust or profit under the Commonwealth; but the party convicted shall, nevertheless, be subject to indictment, trial, judgment and punishment according to law. The Senate may sit during the recess of the General Assembly for the trial of impeachment.

WASHINGTON.

1. V.

The House of Representatives shall have the sole power of impeachment. The concurrence of a majority of all the members shall be necessary to an impeachment. All impeachments shall be tried by the Senate, and, when sitting for that purpose, the Senators shall be upon oath or affirmation to do justice according to law and evidence. When the Governor or Lieutenant-Governor is on trial, the chief justice of the Supreme Court shall preside. No person shall be convicted without a concurrence of two-thirds of the Senators elected.

2. V.

The Governor and other State and judicial officers, except judges and justices of courts not of record, shall be liable to impeachment for high crimes or misdemeanors, or malfeasance in office; but judgment in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust or profit in the State. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment according to law.

Impeachment.

Sec. Art.

3. V.

All officers not liable to impeachment shall be subject to removal for misconduct or malfeasance in office, in such manner as may be provided by law.

WEST VIRGINIA.

9. V.

Any officer of the State may be impeached for mal-administration, corruption, incompetency, gross immorality, neglect of duty, or any high crime or misdemeanor. The House of Delegates shall have the sole power of impeachment. The Senate shall have the sole power to try impeachments, and no person shall be convicted without the concurrence of two-thirds of the members elected thereto. When sitting as a court of impeachment, the president of the Supreme Court of Appeals, or, if from any cause it be improper for him to act, then any other judge of that court, to be designated by it, shall preside; and the Senators shall be on oath or affirmation to do justice according to law and evidence. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold any office of honor, trust or profit, under the State; but the party convicted shall be liable to indictment, trial, judgment and punishment, according to law. The Senate may sit during the recess of the Legislature, for the trial of impeachments.

WISCONSIN.

1. VII.

The court for the trial of impeachment shall be composed of the Senate. The House of Representatives shall have the power of impeaching all civil

Sec. Art.

officers of this State for corrupt conduct in office or for crimes and misdemeanors; but a majority of all the members elected shall concur in an impeachment. On the trial of an impeachment against the Governor, the Lieutenant-Governor shall not act as a member of the court. No judicial officer shall exercise his office after he shall have been impeached, until his acquittal. Before the trial of an impeachment, the members of the court shall take an oath or affirmation truly and impartially to try the impeachment, according to evidence; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office or removal from office and disqualification to hold any office of honor, profit or trust under this State; but the party impeached shall be liable to indictment, trial and punishment according to law.

WYOMING.

17. III.

The sole power of impeachment shall vest in the House of Representatives; the concurrence of a majority of all the members being necessary to the exercise thereof. Impeachment shall be tried by the Senate, sitting for that purpose, and the Senators shall be upon oath or affirmation to do justice according to law and evidence. When the Governor is on trial the chief justice of the Supreme Court shall preside. No person shall be convicted without a concurrence of two-thirds of the Senators elected.

18. III.

The Governor and other State

Impeachment.

Sec. Art.

and judicial officers, except justices of the peace, shall be liable to impeachment for high crimes and misdemeanors, or malfeasance in office, but judgment in such cases shall only extend to removal from office and disqualification to hold any office of honor, trust or profit under the laws of the State. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment according to law.

19. III.

All officers not liable to impeach-

Sec. Art.

ment shall be subject to removal for misconduct or malfeasance in office, in such manner as may be provided by law.

1. V.

The judicial power of the State shall be vested in the Senate, sitting as a Court of Impeachment, in a Supreme Court, District Courts, Justices of the Peace, Courts of Arbitration and such courts as the Legislature may, by general law, establish for incorporated cities or incorporated towns.

County Courts.

COUNTY COURTS.

1 Sec. 14. The existing County Courts are continued, and the
2 judges thereof now in office shall hold their offices until the
3 expiration of their respective terms. In the county of Kings
4 there shall be two county judges and the additional county
5 judge shall be chosen at the next general election held after
6 the adoption of this article. The successors of the several
7 county judges shall be chosen by the electors of the counties
8 for the term of six years. County Courts shall have the powers
9 and jurisdiction they now possess, and also original juris-
10 diction in actions for the recovery of money only, where the
11 defendants reside in the county, and in which the complaint
12 demands judgment for a sum not exceeding two thousand
13 dollars. The Legislature may hereafter enlarge or restrict the
14 jurisdiction of the County Courts, provided, however, that
15 their jurisdiction shall not be so extended as to authorize
16 an action therein for the recovery of money only, in which
17 the sum demanded exceeds two thousand dollars, or
18 in which any person not a resident of the county is a
19 defendant.

20 Courts of Sessions, except in the county of New York, are
21 abolished from and after the last day of December, one thou-
22 sand eight hundred and ninety-five. All the jurisdiction of

County Courts.

23 the Court of Sessions in each county, except the county of
 24 New York, shall thereupon be vested in the County Court
 25 thereof, and all actions and proceedings then pending in such
 26 Courts of Sessions shall be transferred to said County Courts
 27 for hearing and determination. Every county judge shall per-
 28 form such duties as may be required by law. His salary shall
 29 be established by law, payable out of the county treasury. A
 30 county judge of any county may hold County Courts in any
 31 other county when requested by the judge of such other
 32 county.

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ARKANSAS.**28. VII.**

The County Courts shall have exclusive original jurisdiction in all matters relating to county taxes, roads, bridges, ferries, paupers, bastardy, vagrants, the apprenticeship of minors, the disbursement of money for county purposes, and in every other case that may be necessary to the internal improvement and local concerns of the respective counties. The County Court shall be held by one judge, except in cases otherwise herein provided.

32. VII.

The General Assembly may authorize the judge of the County Court of any one or more counties to hold severally a quarterly Court of Common Pleas in their respective counties, which shall be a court of record, with such jurisdiction in matters of contract and other civil matters not involving title to real estate as may be vested in such court.

Sec. Art.

33. VII.

Appeals from all judgments of County Courts or Courts of Common Pleas, when established, may be taken to the Circuit Court under such restrictions and regulations as may be prescribed by law.

34. VII.

The judge of the County Court shall be the judge of the Court of Probate, and have such exclusive original jurisdiction in matters relative to the probate of wills, the estates of deceased persons, executors, administrators, guardians and persons of unsound mind and their estates as is now vested in the Circuit Court, or may be hereafter prescribed by law. The regular terms of the Court of Probate shall be held at the times that may hereafter be prescribed by law.

36. VII.

Whenever a judge of the County or Probate Court may be disqualified from presiding in any

County Courts.

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cause or causes pending in his court, he shall certify the facts to the Governor of the State, who shall thereupon commission a special judge to preside in such cause or causes during the time said disqualification may continue, or until such cause or causes may be finally disposed of.

COLORADO.

22. VI.

There shall be elected, at the general election in each organized county in the year 1877, and every three years thereafter, except as otherwise provided in this article, a county judge, who shall be judge of the County Court of said county, whose term of office shall be three years, and whose compensation shall be as provided by law.

23. VI.

County Courts shall be courts of record, and shall have original jurisdiction in all matters of probate, settlement of estates of deceased persons, appointment of guardians, conservators and administrators, and settlement of their accounts, and such other civil and criminal jurisdiction as may be conferred by law; provided such courts shall not have jurisdiction in any case where the debt, damage or claim or value of property involved shall exceed two thousand dollars, except in cases relating to the estates of deceased persons. Appeals may be taken from County to District Courts, or to the Supreme Court, in such cases and in such manner as may be prescribed by law. Writs of error shall lie from the Supreme Court to every final judgment of the County Court. No appeal shall lie to the District

Sec. Art.

Court from any judgment given upon an appeal from a justice of the peace.

FLORIDA.

17. V.

The county judge shall have original jurisdiction in all cases at law in which the demand or value of property involved shall not exceed one hundred dollars; of proceedings relating to the forcible entry or unlawful detention of lands and tenements; and of such criminal cases as the Legislature may prescribe. The county judge shall have jurisdiction of the settlement of the estates of decedents and minors, to order the sale of real estate of decedents and minors, to take probate of wills, to grant letters of testamentary and of administration and guardianship, and to discharge the duties usually pertaining to courts of probate. He shall have the power of a committing magistrate, and shall issue all licenses required by law to be issued in the county.

18. V.

The Legislature may organize, in such counties as it may think proper, County Courts, which shall have jurisdiction of all cases at law in which the demand or value of the property involved shall not exceed five hundred dollars; of proceedings relating to the forcible entry or unlawful detention of lands, and tenements, and of misdemeanors, and final appellate jurisdiction in civil cases arising in the courts of justices of the peace. The trial of such appeals may be de novo at the option of appellant. The county judge shall be the judge of said court. There shall be elected by the qualified electors of said county,

County Courts.

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at the time when the said judge is elected, a prosecuting attorney for said county, who shall hold office for four years. His duties and compensation shall be prescribed by law. Such courts may be abolished at the pleasure of the Legislature.

29. V.

The County Courts in counties where such Criminal Courts are established, shall have no criminal jurisdiction and no prosecuting attorney.

ILLINOIS.

18. VI.

There shall be elected in and for each county one county judge and one clerk of the County Court, whose term of office shall be four years. But the General Assembly may create districts of two or more contiguous counties, in each of which shall be elected one judge, who shall take the place of and exercise the powers and jurisdiction of courts of record, and shall have original jurisdiction in all matters of probate, settlement of estates of deceased persons, appointments of guardians and conservators and settlement of their accounts, in all matters relating to apprentices, and in proceedings for the collection of taxes and assessments, and such other jurisdiction as may be provided for by general law.

KENTUCKY.

139.

There shall be established in each county now existing, or which may be hereafter created, in this State, a court, to be styled the Quarterly Court, the jurisdiction of which shall be uniform throughout the State, and shall be regulated by a general law, and, until changed, shall be the same as that now vest-

Sec. Art.

ed by law in the Quarterly Courts of this Commonwealth. The judges of the County Court shall be the judges of the Quarterly Courts.

140.

There shall be established in each county now existing, or which may be hereafter created, in this State, a court, to be styled the County Court, to consist of a judge, who shall be a conservator of the peace, and shall receive such compensation for his services as may be prescribed by law. He shall be commissioned by the Governor, and shall vacate his office by removal from the county in which he may have been elected.

141.

The jurisdiction of the County Court shall be uniform throughout the State, and shall be regulated by general law, and, until changed, shall be the same as now vested in the County Courts of this State by law.

144.

Counties shall have a Fiscal Court, which may consist of a judge of the County Court and the justices of the peace, in which court the judge of the County Court shall preside, if present; or a county may have three commissioners, to be elected from the county at large, who, together with the judge of the County Court, shall constitute the Fiscal Court. A majority of the members of said court shall constitute a court for the transaction of business. But where, for county governmental purposes, a city is by law separated from the remainder of the county, such commissioners may be elected from the part of the county outside of such city.

227.

Judges of the County Court, jus-

County Courts.

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tices of the peace, sheriffs, coroners, surveyors, jailors, assessors, county attorneys and constables shall be subject to indictment or prosecution for misfeasance or malfeasance in office, or willful neglect in discharge of official duties, in such mode as may be prescribed by law; and upon conviction, his office shall become vacant, but such officer shall have the right of appeal to the Court of Appeals.

MISSOURI.**36. VI.**

In each county there shall be a County Court, which shall be a court of record, and shall have jurisdiction to transact all county and such other business as may be prescribed by law. The court shall consist of one or more judges, not exceeding three, of whom the probate judge may be one, as may be provided by law.

NEBRASKA.**16. VI.**

County Courts shall be courts of record, and shall have original jurisdiction in all matters of probate, settlements of estates of deceased persons, appointment of guardians and settlement of their accounts, in all matters relating to apprentices, and such other jurisdiction as may be given by general law. But they shall not have jurisdiction in criminal cases in which the punishment may exceed six months' imprisonment, or a fine of over five hundred dollars; nor in actions in which title to real estate is sought to be recovered, or may be drawn in question; nor in actions on mortgages or contracts for the conveyance of real estate; nor in civil actions where the debt or sum claimed shall exceed one thousand dollars.

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17. VI.

Appeals to the District Courts from the judgments of County Courts shall be allowed in all criminal cases, on application of the defendant; and in all civil cases on application of either party, and in such other cases as may be provided by law.

NORTH DAKOTA.**110. IV.**

There shall be established in each county a County Court, which shall be a court of record, open at all times, and holden by one judge, elected by the electors of the county, and whose term of office shall be two years.

111. IV.

The County Court shall have exclusive original jurisdiction in probate and testamentary matters, the appointment of administrators and guardians, the settlement of the accounts of executors, administrators and guardians, the sale of lands by executors, administrators and guardians, and such other probate jurisdiction as may be conferred by law: Provided, That whenever the voters of any county having a population of 2,000 or over shall decide by a majority vote that they desire the jurisdiction of said court increased above that limited by this Constitution, then said County Courts shall have concurrent jurisdiction with the District Courts in all civil actions where the amount in controversy does not exceed \$1,000, and in all criminal actions below the grade of felony, and in case it is decided by the voters of any county to so increase the jurisdiction of said County Court, the jurisdiction in cases of misdemeanors arising under State laws which may have been conferred upon police magistrates shall cease. The

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qualifications of the judge of the County Court in counties where the jurisdiction of said court shall have been increased shall be the same as those of the District judge, except that he shall be a resident of the county at the time of his election, and said county judge shall receive such salary for his services as may be provided by law. In case the voters of any county decide to increase the jurisdiction of said County Courts, then such jurisdiction as thus increased shall remain until otherwise provided by law.

114. IV.

Appeals shall lie from the County Court, final decisions of Justices of the Peace and Police Magistrates, in such cases and pursuant to such regulations as may be prescribed by law.

OREGON.

11. VII.

There shall be elected in each county, for the term of four years a county judge, who shall hold the County Court at times to be regulated by law.

12. VII.

The County Court shall have the jurisdiction pertaining to Probate Courts, and boards of county commissioners, and such other powers and duties, and such civil jurisdiction not exceeding the amount of value of five hundred dollars, and such criminal jurisdiction not extending to death or imprisonment in the penitentiary as may be prescribed by law. But the Legislative Assembly may provide for the election of two commissioners to sit with the county judge whilst transacting county business in any or all the counties, or may provide a separate

. Sec. Art.

board for transacting such business.

13. VII.

The county judge may grant preliminary injunctions and such other writs as the Legislative Assembly may authorize him to grant, returnable to the Circuit Court, or otherwise as may be provided by law; and may hear and decide questions arising upon habeas corpus: Provided, Such decision be not against the authority or proceedings of a court or judge or equal or higher jurisdiction.

14. VII.

The counties having less than ten thousand white inhabitants shall be reimbursed, wholly or in part, for the salary and expenses of the County Court, by fees, percentage, and other equitable taxation of the business done in said court, and in the office of the county clerk.

PENNSYLVANIA.

22. V.

In every court wherein the population shall exceed one hundred and fifty thousand, the General Assembly shall, and in any other county may, establish a separate Orphans' Court, to consist of one or more judges who shall be learned in the law, which court shall exercise all the jurisdiction and powers now vested in or which may hereafter be conferred upon the Orphans' Courts, and thereupon the jurisdiction of the judges of the Court of Common Pleas within such county, in Orphans' Court proceedings, shall cease and determine. In any county in which a separate Orphans' Court shall be established, the register of wills shall be clerk of such court and subject to its directions, in all matters pertaining to his office; he may appoint assistant clerks,

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but only with the consent and approval of said court. All accounts filed with him as register or as clerk of the said separate Orphans' Court shall be audited by the court without expense to parties, except where all parties in interest in a pending proceeding shall nominate an auditor whom the court may, in its discretion, appoint. In every county Orphans' Court shall possess all the powers and jurisdiction of a Registers' Court, and separate Registers' Courts are hereby abolished.

SOUTH CAROLINA.

19. V.

There shall be elected in each organized county a county judge who shall be judge of the County Court of said county, whose term of office shall be two years until otherwise provided by law.

20. V.

County Courts shall be courts of record and shall have original jurisdiction in all matters of probate guardianship and settlement of estates of deceased persons, and such other civil and criminal jurisdiction as may be conferred by law: Provided, That such courts shall not have jurisdiction in any case where the debt, damage, claim or value of property involved shall exceed one thousand dollars except in matters of probate guardianship and the estates of deceased persons. Writs of error and appeal may be allowed from County to Circuit Courts, or to the Supreme Court, in such cases and in such manner as may be prescribed by law: Provided, That no appeal or writ of error shall be allowed to the Circuit Court from any judgment rendered upon an appeal from a justice of the peace or police magistrates for cities or towns.

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21. V.

The County Court shall not have jurisdiction in cases of felony, nor shall criminal cases therein be prosecuted by indictment; but they may have such jurisdiction in criminal matters, not of the grade of felony, as the Legislature may prescribe, and the prosecutions therein may be by information or otherwise as the Legislature may provide.

TEXAS.

15. V.

There shall be established in each county in this State a County Court, which shall be a court of record; and there shall be elected in each county by the qualified voters, a county judge, who shall be well informed in the law of the State, shall be a conservator of the peace, and shall hold his office for two years, and until his successor shall be elected and qualified. He shall receive as a compensation for his services such fees and perquisites as may be prescribed by law.

16. V.

The County Court shall have original jurisdiction of all misdemeanors of which exclusive original jurisdiction is not given to the Justices' Court, as the same is now or may hereafter be prescribed by law, and when the fine to be imposed shall exceed two hundred dollars; and they shall have exclusive jurisdiction in all civil cases when the matter in controversy shall exceed in value two hundred dollars and not exceed five hundred dollars, exclusive of interest; and concurrent jurisdiction with the District Court when the matter in controversy shall exceed five hundred dollars and not exceed one thousand dollars,

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exclusive of interest, but shall not have jurisdiction of suits for the recovery of land. They shall have appellate jurisdiction in cases civil and criminal of which Justices' Courts have original jurisdiction, but of such civil cases only when the judgment of the court appealed from shall exceed twenty dollars, exclusive of cost, under such regulations as may be prescribed by law. In all appeals from Justices' Court there shall be a trial de novo in the County Court, and appeals may be prosecuted from the final judgment rendered in such cases by the County Court, as well as all cases civil and criminal of which the County Court has exclusive or concurrent or original jurisdiction of civil appeals in civil cases to the Court of Civil Appeals, and in such criminal cases to the Court of Criminal Appeals, with such exceptions and under such regulations as may be prescribed by law. The County Court shall have the general jurisdiction of a Probate Court; they shall probate wills, appoint guardians of minors, idiots, lunatics, persons non compos mentis, and common drunkards; grant letters testamentary and of administration; settle accounts of executors; transact all business appertaining to deceased persons, minors, idiots, lunatics, persons non compos mentis, and common drunkards, including the settlement, partition and distribution of estates of deceased persons; and to apprentice minors, as provided by law; and the County Court or judge thereof shall have power to issue writs of injunction, mandamus, and all writs necessary to the enforcement of the juris-

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diction of said court, and to issue writs of habeas corpus in cases where the offense charged is within the jurisdiction of the County Court or any other court or tribunal inferior to said court. The County Court shall not have criminal jurisdiction in any county where there is a Criminal District Court, **unless** expressly conferred by law; and in such counties appeals from Justices' Courts and other inferior courts and tribunals in criminal cases shall be to the Criminal District Court, under such regulations as may be prescribed by law, and in all such cases an appeal shall lie from such District Court to the Court of Criminal Appeals. When the judge of the County Court is disqualified in any case pending in the County Court, the parties interested may by consent appoint a proper person to try said case, or upon their failing to do so, a competent person may be appointed to try the same in the county where it is pending, in such manner as may be prescribed by law.

17. V.

The County Court shall hold a term for civil business at least once in every two months, and shall dispose of probate business, either in term time or vacation, as may be provided by law, and said court shall hold a term for criminal business once in every month, as may be provided by law. Prosecutions may be commenced in said court by information filed by the county attorney, or by affidavit, as may be provided by law. Grand juries impaneled in the District Courts shall inquire into misdemeanors, and all indictments therefor returned into the District Courts shall forth-

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with be certified to the County Courts, or other inferior courts having jurisdiction to try them, for trial; and if such indictment be quashed in the county, or other inferior courts, the person charged shall not be discharged if there is probable cause of guilt, but may be held by such court or magistrate to answer an information or affidavit. A jury in the County Court shall consist of six men; but no jury shall be impaneled to try a civil case, unless demanded by one of the parties, who shall pay such jury fee therefor, in advance, as may be prescribed by law, unless he makes affidavit that he is unable to pay the same.

18. V.

Each organized county in the State, now or hereafter existing, shall be divided from time to time, for the convenience of the people, into precincts, not less than four and not more than eight. The present county courts shall make the first division. Subsequent divisions shall be made by the commissioners' court provided for by this Constitution. In each such precinct there shall be elected, at each biennial election, one justice of the peace and one constable, each of whom shall hold his office for two years and until his successor shall be elected and qualified: Provided, That in any precinct in which there may be a city of eight thousand or more inhabitants, there shall be elected two justices of the peace. Each county shall in like manner be divided into four commissioners' precincts, in each of which there shall be elected by the qualified voters thereof, one county commissioner, who shall hold his office for two years and until his successor shall be elect-

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ed and qualified. The county commissioner so chosen, with the county judge as presiding officer, shall compose the County Commissioners' Court, which shall exercise such powers and jurisdiction over all county business as is conferred by this Constitution and the laws of the State, or as may be hereafter prescribed.

29. V.

The County Court shall hold at least four terms for both civil and criminal business annually, as may be provided by the Legislature, or by the Commissioners' Court of the county under authority of law, and such other terms each year as may be fixed by the Commissioners' Court: Provided, The Commissioners' Court of any county having fixed the times and number of terms of the County Court, shall not change the same again until the expiration of one year. Said court shall dispose of probate business either in term time or vacation, under such regulation as may be prescribed by law. Prosecutions may be commenced in said courts in such manner as is or may be provided by law, and a jury therein shall consist of six men. Until otherwise provided, the terms of the County Court shall be held on the first Mondays in February, May, August and November, and may remain in session three weeks.

VERMONT.

The assistant judges of the County Court shall be elected by the freemen of their respective counties.

13. VI.

VIRGINIA.

In each county of this Commonwealth there shall be a court called the County Court, which

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shall be held monthly by a judge learned in the law of the State, and to be known as the County Court Judge: Provided, That counties containing less than eight thousand inhabitants shall be attached to adjoining counties for the formation of districts for county judges. County Court judges shall be chosen in the same manner as judges of the Circuit Courts. They shall hold their office for a term of six years, except the first term under this Constitution, which shall be three years, and during their continuance in office they shall reside in their respective counties or districts. The jurisdiction of said courts shall be the same as that of the existing County Courts, except so far as it is modified by this Constitution or may be changed by law.

WEST VIRGINIA.

22. VIII.

There shall be in each county of the State a County Court, composed of three commissioners, and two of said commissioners shall be a quorum for the transaction of business. It shall hold four regular sessions in each year, at such times as may be fixed upon and entered of record by the said court. Provisions may be made by law for holding special sessions of said court.

24. VIII.

The County Courts, through their clerks, shall have the custody of all deeds and other papers presented for record in their counties, and the same shall be preserved therein, or otherwise disposed of, as now is or may be prescribed by law. They shall have jurisdiction in all matters of probate, the appointment and qualification of personal representatives, guardians, commit-

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tees, curators, and the settlement of their accounts, and in all matters relating to apprentices. They shall also, under such regulations as may be prescribed by law, have the superintendence and administration of the internal police and fiscal affairs of their counties, including the establishment and regulation of roads, ways, bridges, public landings, ferries and mills, with authority to lay and disburse the county levies: Provided, That no license for the sale of intoxicating liquors in any incorporated city, town or village shall be granted without the consent of the municipal authorities thereof, first had and obtained. They shall, in all cases of contest, judge of the election, qualification and returns of their own members, and of all county and district officers, subject to such regulations, by appeal or otherwise, as may be prescribed by law. Such courts may exercise such other powers, and perform such other duties, not of a judicial nature, as may be prescribed by law. And provision may be made, under such regulations as may be prescribed by law, for the probate of wills, and for the appointment and qualification of personal representatives, guardians, committees and curators during the recess of the regular sessions of the County Court. Such tribunals as have been heretofore established by the Legislature under and by virtue of the thirty-fourth section of the eighth article of the Constitution of one thousand eight hundred and seventy-two, for police and fiscal purposes, shall, until otherwise provided by law, remain and continue as at present constituted in the counties in which

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they have been respectively established, and shall be and act as to police and fiscal matters in lieu of the County Court created by this article until otherwise provided by law. And, until otherwise provided by law, such clerk as is mentioned in the twenty-sixth section of this article, shall exercise any powers and discharge any duties heretofore conferred on, or required of, any court or tribunal established for judicial purposes under the said article and section of the Constitution of one thousand eight hundred and seventy-two, or the clerk of such court or tribunal respectively, respecting the recording and preservation of deeds and other papers presented for record, matters of probate, the appointment and qualification of personal representatives, guardians, committees, curators and the

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settlement of their accounts, and in all matters relating to apprentices.

29. VIII.

The Legislature shall, upon the application of any county, reform, alter or modify the County Court established by this article in such county, and in lieu thereof, with the assent of a majority of the voters of such county voting at an election, create another tribunal for the transaction of the business required to be performed by the County Court created by this article; and in such case all the provisions of this article in relation to the county court shall be applicable to the tribunal established in lieu of said court. And when such tribunal has been established it shall continue to act in lieu of the County Court until otherwise provided by law.

SUBROGATES' COURTS.

1 Sec. 15. The existing Surrogates' Courts are continued,
2 and the surrogates now in office shall hold their offices until
3 the expiration of their terms. Their successors shall be chosen
4 by the electors of their respective counties, and their terms
5 of office shall be six years, except in the county of New York,
6 where they shall continue to be fourteen years. Surrogates
7 and Surrogates' Courts shall have the jurisdiction and powers
8 which the surrogates and existing Surrogates' Courts now
9 possess, until otherwise provided by the Legislature. The
10 county judge shall be surrogate of his county, except where
11 a separate surrogate has been or shall be elected. In coun-
12 ties having a population exceeding forty thousand, wherein
13 there is no separate surrogate, the Legislature may provide
14 for the election of a separate officer to be surrogate, whose
15 term of office shall be six years. When the surrogate shall
16 be elected as a separate officer his salary shall be established
17 by law, payable out of the county treasury. No county judge
18 or surrogate shall hold office longer than until and including
19 the last day of December next after he shall be seventy years
20 of age. Vacancies occurring in the office of county judge
21 or surrogate shall be filled in the same manner as like vacan-
22 cies occurring in the Supreme Court. The compensation of

 Surrogates' Courts.

23 any county judge or surrogate shall not be increased or
 24 diminished during his term of office. For the relief of Sur-
 25 rogates' Courts the Legislature may confer upon the Supreme
 26 Court in any county having a population exceeding four hun-
 27 dred thousand, the powers and jurisdiction of surrogates with
 28 authority to try issues of fact by jury in probate cases.

Sec. Art.

ALABAMA.**6. VI.**

The General Assembly shall have power to establish in each county within the State a Court of Probate, with general jurisdiction for the granting of letters testamentary and of administration, and for orphans' business.

IDAHO.**21. V.**

The Probate Courts shall be courts of record, and shall have original jurisdiction in all matters of probate, settlement of estates of deceased persons, and appointment of guardians; also jurisdiction to hear and determine all civil cases wherein the debt or damage claimed does not exceed the sum of five hundred dollars, exclusive of interest, and concurrent jurisdiction with justices of the peace in criminal cases.

ILLINOIS.**20. VI.**

The General Assembly may provide for the establishment of a probate court in each county having a population of over fifty thousand, and for the election of a judge thereof, whose term of office shall be the same as that of a county judge, and who shall be elected at the same

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time and in the same manner. Said courts, when established, shall have original jurisdiction of all probate matters, the settlement of estates of deceased persons, the appointment of guardians and conservators, and settlement of their accounts; in all matters relating to apprentices, and in cases of sales of real estate of deceased persons for the payment of debts.

KANSAS.**8. III.**

There shall be a Probate Court in each county, which shall be a court of record, and have such probate jurisdiction and care of estates of deceased persons, minors, and persons of unsound mind, as may be prescribed by law; and shall have jurisdiction in cases of habeas corpus. This court shall consist of one judge, who shall be elected by the qualified voters of the county, and hold his office two years. He shall be his own clerk and shall hold court at such times and receive for compensation such fees as may be prescribed by law.

MAINE.**7. VI.**

Judges and registers of probate shall be elected by the people

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of their respective counties, by a plurality of the votes given in at the annual election, on the second Monday of September, and shall hold their offices for four years, commencing on the first day of January next after their election. Vacancies occurring in said offices by death, resignation or otherwise, shall be filled by election in manner aforesaid, at the September election next after their occurrence; and in the meantime, the Governor, with the advice and consent of the Council, may fill said vacancies by appointment, and the persons so appointed shall hold their offices until the first day of January thereafter.

MASSACHUSETTS.

4.

The judges of probate of wills, and for granting letters of administration, shall hold their courts at such place or places, on fixed days, as the convenience of the people shall require; and the Legislature shall, from time to time, hereafter, appoint such times and places; until which appointments, the said courts shall be holden at the times and places which the respective judges shall direct.

MICHIGAN.

13. VI.

In each of the counties organized for judicial purposes there shall be a Court of Probate. The judge of such court shall be elected by the electors of the county in which he resides, and shall hold his office for four years, and until his successor is elected and qualified. The jurisdiction, powers, and duties of such court shall be prescribed by law.

11.

The Probate Courts, the courts

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of justices of the peace, and the Police Court, authorized by an act entitled "An act to establish a Police Court in the city of Detroit," approved April second, one thousand eight hundred and fifty, shall continue to exercise the jurisdiction and powers now conferred upon them respectively, until otherwise provided by law.

MINNESOTA.

7. VI.

There shall be established in each organized county in the State a Probate Court, which shall be a court of record, and be held at such time and places as may be prescribed by law. It shall be held by one judge, who shall be elected by the voters of the county for the term of two years. He shall be a resident of such county at the time of his election, and reside therein during his continuance in office; and his compensation shall be provided by law. He may appoint his own clerk where none has been elected; but the Legislature may authorize the election, by the electors of any county, of one clerk or register of probate for such county, whose powers, duties, term of office, and compensation shall be prescribed by law. A Probate Court shall have jurisdiction over the estates of deceased persons and persons under guardianship; but no other jurisdiction, except as prescribed by this Constitution.

MISSOURI.

34. VI.

The General Assembly shall establish in every county a Probate Court, which shall be a court of record, and consist of one judge, who shall be elected. Said court shall have jurisdiction over all matters pertaining

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to probate business, to granting letters testamentary and of administration, the appointment of guardians and curators of minors and persons of unsound mind, settling the accounts of executors, administrators, curators and guardians, and the sale or leasing of lands by administrators, curators and guardians; and, also, jurisdiction over all matters relating to apprentices: Provided, that until the General Assembly shall provide by law for a uniform system of Probate Courts, the jurisdiction of Probate Courts heretofore established shall remain as now provided by law.

35. VI.

Probate Courts shall be uniform in their organization, jurisdiction, duties and practice, except that a separate clerk may be provided for, or the judge may be required to act, ex-officio, as his own clerk.

NEW HAMPSHIRE.
LXXXI.

No judge or register of probate shall be of counsel, act as advocate, or receive any fees as advocate or counsel, in any probate business which is pending or may be brought into any court of probate in the county of which he is judge or register.

OHIO.

7. IV.

There shall be established in each county a Probate Court, which shall be a court of record, open at all times, and holden by one judge, elected by the voters of the county, who shall hold his office for the term of three years, and shall receive such compensation, payable out of the county treasury, or by fees, or both, as shall be provided by law.

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8. IV.

The Probate Court shall have jurisdiction in probate and testamentary matters, the appointment of administrators and guardians, the settlement of the accounts of executors, administrators and guardians, and such jurisdiction in habeas corpus, the issuing of marriage licenses, and for the sale of land by executors, administrators and guardians, and such other jurisdiction in any county or counties as may be provided by law.

14.

The Probate Courts provided for in this Constitution, as to all matters within the jurisdiction conferred upon said courts, shall be the successors in the several counties of the present Courts of Common Pleas; and the records, files and papers, business and proceedings appertaining to said jurisdiction shall be transferred to said Courts of Probate, and be there proceeded in according to law.

SOUTH CAROLINA.

20. IV.

A Court of Probate shall be established in each county, with jurisdiction in all matters testamentary and of administration in business appertaining to minors, and the allotment of dower in cases of idiocy and lunacy and persons non compos mentis. The judge of said court shall be elected by the qualified electors of the respective counties for the term of four years.

25. IV.

The judges of probate, county commissioners, justices of the peace and constables shall receive for their services such compensation and fees as the General Assembly may, from time to time, by law direct.

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VERMONT.

Judges of probate shall be elected by the freemen of their respective probate districts.

WISCONSIN.**14. VII.**

There shall be chosen in each county by the qualified electors thereof a judge of probate, who shall hold his office for two years, and until his successor shall be elected and qualified, and whose jurisdiction, powers and duties shall be prescribed by law: Provided, however, That the Legislature shall have power to abolish the office of judge of probate in any county, and to confer probate powers upon such inferior courts as

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may be established in said county.

WYOMING.**17. XXI.**

Whenever this Constitution shall go into effect, records and papers and proceedings of the Probate Court in each county, and all causes and matters of administration and other matters pending therein, shall pass into the jurisdiction and possession of the District Court of the same county, and the said District Court shall proceed to final decree or judgment order or other determination in the said several matters and causes as the said Probate Court might have done if this Constitution had not been adopted.

Local Judicial Officers.

LOCAL JUDICIAL OFFICERS.

1 Sec. 16. The Legislature may, on application of the
2 board of supervisors, provide for the 'election of local officers,
3 not to exceed two in any county, to discharge the duties 'of
4 County Judge and of Surrogate, in 'cases of their inability
5 or of a vacancy, and in such other cases as may 'be provided
6 by law, and to exercise such 'other powers in special cases as
7 are or may be provided by law.

Sec. Art.**FLORIDA.****16. V.**

There shall be in each county a county judge, who shall be elected by the qualified electors of said county at the time and places of voting for other county officers, and shall hold his office for four years. His compensa-

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tion shall be provided for by law.

NEBRASKA.**15. VI.**

There shall be elected in and for each organized county one judge, who shall be judge of the County Court of such county, and whose term of office shall be two years.

JUSTICE OF THE PEACE.

1 Sec. 17. The electors of the several towns shall, at their
2 annual town meetings, or at such other time and in such
3 manner as the Legislature may direct, elect Justices of the
4 Peace, whose term of office shall be four years. In case of
5 an election to fill a vacancy occurring before the expiration
6 of a full term, they shall hold for the residue of the unexpired
7 term. Their number and classification may be regulated by
8 law. Justices of the Peace and judges or justices of inferior
9 courts not of record, and their clerks, may be removed for
10 cause, after due notice and an opportunity of being heard,
11 by such courts as are or may be prescribed by law. Justices
12 of the Peace and District Court Justices may be elected in the
13 different cities of this State in such manner, and with such
14 powers, and for such terms, respectively, as are or shall be
15 prescribed by law; all other judicial officers in cities, whose
16 election or appointment is not otherwise provided for in this
17 article, shall be chosen by the electors of such cities, or
18 appointed by some local authorities thereof.

Justice of the Peace.

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ALABAMA.**26. VI.**

There shall be elected by the qualified electors of each precinct of the counties not exceeding two justices of the peace and one constable. Such justices shall have jurisdiction in all civil cases wherein the amount in controversy does not exceed one hundred dollars, except in cases of libel, slander, assault and battery, and ejectment.

In all cases tried before such justices the right of appeal, without repayment of costs, shall be secured by law: Provided, That the Governor may appoint one notary public for each election precinct in counties, and one for each ward in cities of over five thousand inhabitants, who, in addition to the powers of notary, shall have and exercise the same jurisdiction as justices of the peace within the precincts and wards for which they are respectively appointed: And provided, That notaries public without such jurisdiction may be appointed. The term of office of such justices and notaries public shall be prescribed by law.

ARKANSAS.**30. VII.**

The justices of the peace of each county shall sit with and assist the county judge in levying the county taxes, and in making appropriations for the expenses of the county in the manner to be prescribed by law; and the county judge, together with a majority of said justices, shall constitute a quorum for such purposes; and in the absence of the county judge a majority of the justices of the peace may constitute the court, who shall elect one of their number to preside. The

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General Assembly shall regulate by law the manner of compelling the attendance of such quorum.

38. VII.

The qualified electors of each township shall elect the justices of the peace for the term of two years, who shall be commissioned by the Governor, and their official oath shall be indorsed on the commission.

39. VII.

For every two hundred electors there shall be elected one justice of the peace, but every township, however small, shall have two justices of the peace.

40. VII.

They shall have original jurisdiction in the following matters: First, exclusive of the Circuit Court, in all matters of contract where the amount in controversy does not exceed the sum of one hundred dollars, excluding interest, and concurrent jurisdiction in matters of contract where the amount in controversy does not exceed the sum of three hundred dollars, exclusive of interest; second, concurrent jurisdiction in suits for the recovery of personal property where the value of the property does not exceed the sum of three hundred dollars, and in all matters of damage to personal property where the amount in controversy does not exceed the sum of one hundred dollars; third, such jurisdiction of misdemeanors as is now, or may be, prescribed by law; fourth, to sit as examining courts and commit, discharge or recognize offenders to the court having jurisdiction, for further trial, and to bind persons to keep the peace or for good behavior; fifth, for the foregoing purposes they shall have power

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to issue all necessary process; sixth, they shall be conservators of the peace within their respective counties, provided a justice of the peace shall not have jurisdiction where a lien on land or title or possession thereto is involved.

41. VII.

A justice of the peace shall be a qualified elector and a resident of the township for which he is elected.

43. VII.

Corporation Courts for towns and cities may be invested with jurisdiction concurrent with justices of the peace in civil and criminal matters, and the General Assembly may invest such of them as may deem expedient with jurisdiction of any criminal offenses not punishable by death or imprisonment in the penitentiary, with or without indictment, as may be provided by law, and until the General Assembly shall otherwise provide, they shall have the jurisdiction now provided by law.

CALIFORNIA.

11. VI.

The Legislature shall determine the number of justices of the peace to be elected in townships, incorporated cities and towns, or cities and counties, and shall fix by law the powers, duties and responsibilities of justices of the peace; provided, such powers shall not, in any case, trench upon the jurisdiction of the several courts of record, except that said justices shall have concurrent jurisdiction with the Superior Court in cases of forcible entry and detainer, where the rental value does not exceed twenty-five dollars per month, and where the whole amount of damages claimed does not ex-

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ceed two hundred dollars, and in cases to enforce and foreclose liens on personal property when neither the amount of liens nor the value of the property amounts to three hundred dollars.

COLORADO.

11. IV.

There shall, at the first election at which county officers are chosen, and annually thereafter, be elected in each precinct one justice of the peace and one constable, who shall each hold his office for the term of two years: Provided, That in precincts containing five thousand or more inhabitants, the number of justices and constables may be increased as provided by law.

11. VI.

The District Courts shall have original jurisdiction of all causes, both at law and in equity, and such appellate jurisdiction as may be conferred by law. They shall have original jurisdiction to determine all controversies upon relation of any person on behalf of the people concerning the rights duties and liabilities of railroad, telegraph or toll-road companies or corporations.

12. VI.

The State shall be divided into judicial districts, in each of which there shall be elected by the electors thereof one judge of the District Court therein, whose term of office shall be six years. The judges of the District Courts may hold courts for each other, and shall do so when required by law.

15. VI.

The judges of the District Court first elected shall be chosen by the first general election. The General Assembly may provide that after the year 1878 the elec-

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tion of the judges of the Supreme, District and County Courts, and the district attorneys, or any of them, shall be on a different day from that on which an election is held for any other purpose, and for that purpose may extend or abridge the term of office of any such officers then holding, but not in any case over six months. Until otherwise provided by law, such officers shall be elected at the time of holding the general elections. The terms of office of all the judges of the District Court elected in the several districts throughout the State shall expire on the same day; and the terms of office of the district attorneys elected in the several districts throughout the State shall, in like manner, expire on the same day.

16. VI.

No person shall be eligible to the office of district judge unless he be learned in the law, be at least thirty years old, and a citizen of the United States; nor unless he shall have resided in the State or Territory at least two years next preceding his election; nor unless he shall, at the time of his election, be an elector within the judicial district for which he is elected: Provided, That in the first election any person of the requisite age and learning, and who is an elector of the Territory of Colorado, under the laws thereof, at the time of the adoption of this Constitution, shall be eligible to the office of judge of the District Court of the judicial district within which he is an elector.

17. VI.

The time of holding courts within the said districts shall be as provided by law, but at least

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one term of the District Court shall be held annually in each county, except in such counties as may be attached, for judicial purposes, to another county, wherein such courts are so held. This shall not be construed to prevent the holding of special terms, under such regulations as may be provided by law.

25. VI.

Justices of the peace shall have such jurisdiction as may be conferred by law; but they shall not have jurisdiction of any case wherein the value of the property, or the amount in controversy, exceeds the sum of three hundred dollars, nor where the boundaries or title to real property shall be called in question.

5. VII.

The District Court of each county shall, at each term thereof, specially give in charge to the grand jury, if there be one, the laws regulating the accountability of the county treasurer, and shall appoint a committee of such grand jury, or of other reputable persons, not exceeding five, to investigate the official accounts and affairs of the treasurer of such county, and report to the court the condition thereof. The judge of the District Court may appoint a like committee in vacation at any time, but not oftener than once in every three months. The District Court of the county wherein the seat of government may be shall have the like power to appoint committees to investigate the official accounts and affairs of the State Treasurer and the Auditor of State.

CONNECTICUT.

2. V.

There shall be appointed in each county a sufficient number of

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justices of the peace, with such jurisdiction in civil and criminal cases as the General Assembly may prescribe.

DELAWARE.**15. VI.**

The General Assembly may, by law, give to any inferior courts by them to be established, or to one or more justices of the peace, jurisdiction of the criminal matters following, that is to say: Assaults and batteries, keeping without a license a public house of entertainment, tavern, inn, ale house, ordinary or victualling house, retailing or selling without license wine, rum, brandy, gin, whisky, or spirituous or mixed liquors contrary to law, disturbing camp meetings held for the purpose of religious worship, disturbing other meetings for the purpose of religious worship, nuisances, horse racing, cock fighting and shooting matches, larcenies committed by negroes or mulattoes, and the offense of knowingly buying, receiving or concealing by negroes or mulattoes of stolen goods, and things the subject of larceny, and of any negro or mulatto being accessory to any larceny. The General Assembly may by law regulate this jurisdiction, and provide that the proceedings shall be with or without indictment by the grand jury, or trial by petit jury, and may grant or deny the privilege or appeal to the Court of General Sessions of the Peace. The matters within this section shall be and the same hereby excepted and excluded from the provisions of the Constitution, that: "No person shall, for an indictable offense, be proceeded against criminally by information," and also from the provisions of the

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Constitution concerning trial by jury.

24. VI.

The Governor shall appoint a competent number of persons to the office of justice of the peace, not exceeding twelve in each county until two-thirds of both houses of the Legislature shall by law direct an addition to the number, who shall be commissioned for seven years, if so long they shall behave themselves well, but may be removed by the Governor within that time, on conviction of misbehavior in office, or on the address of both houses of the Legislature.

FLORIDA.**22. V.**

In each county where there is no County Court, as provided for in section eighteen of this article, the justices of the peace shall have jurisdiction in cases at law in which the demand or value of the property involved does not exceed one hundred dollars, and in which the cause of action accrued, or the defendant resides, in his district; and in such criminal cases, except felonies, as may be prescribed by law; and in counties where County Courts are established, as provided for in section eighteen of this article, every justice of the peace shall have jurisdiction in cases at law in which the demand or value of the property does not exceed fifty dollars, and in which the cause of action accrued, or the defendant resides, in his district; and he shall have power to issue process for the arrest of persons charged with crime, and to make the same returnable before himself or the county judge, for examination, discharge, commit-

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ment or bail of the accused. Justices of the peace shall have power to hold inquests of the dead. Appeals from justices of the peace courts to Circuit Courts in criminal cases shall be tried de novo under such regulations as the Legislature may prescribe.

21. V.

The county commissioners of each county shall divide it into as many justice districts, not less than two, as they may deem necessary. There shall be elected one justice of the peace for each of the said districts. He shall hold his office for four years.

GEORGIA.

7. VI.

Par. III. Justices of the peace shall have jurisdiction in all civil cases, arising ex contractu, and in cases of injury or damage to personal property, when the principal sum does not exceed one hundred dollars, and shall sit monthly at fixed times and places; but in all cases there may be an appeal to a jury in said court, or an appeal to the Superior Court, under such regulations as may be prescribed by law.

7. VI.

Par. III. Justices of the peace shall be elected by the legal voters in their respective districts, and shall be commissioned by the Governor. They shall be removable on conviction for malpractice in office.

11. V. IDAHO.

The State shall be divided into five judicial districts, for each of which a judge shall be chosen by the qualified electors thereof,

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whose term of office shall be four years. And there shall be held a District Court in each county at least twice in each year, to continue for such time in each county as may be prescribed by law; but the Legislature may reduce or increase the number of districts, district judges and district attorneys. This section shall not be construed to prevent the holding of special terms under such regulations as may be provided by law.

12. V.

Every judge of the District Court shall reside in the district for which he is elected. A judge of any District Court may hold a District Court in any county at the request of the judge of the District Court thereof, and upon the request of the Governor it shall be his duty to do so; but a cause in the District Court may be tried by a judge pro tempore, who must be a member of the bar, agreed upon in writing by the parties litigant, or their attorneys of record, and sworn to try the cause.

16. V.

A clerk of the District Court for each county shall be elected by the qualified voters thereof at the time and in the manner prescribed by law for the election of members of the Legislature, and shall hold his office for the term of four years.

20. V.

The District Court shall have original jurisdiction in all cases, both at law and in equity, and such appellate jurisdiction as may be conferred by law.

22. V.

In each county of this State there shall be elected justices of the peace as prescribed by law.

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Justices of the peace shall have such jurisdiction as may be conferred by law, but they shall not have jurisdiction of any cause wherein the value of the property or the amount in controversy exceeds the sum of three hundred dollars, exclusive of interest, nor where the boundaries or title to any real property shall be called in question.

23. V.

No person shall be eligible to the office of district judge unless he be learned in the law, thirty years of age, and a citizen of the United States, and shall have resided in the State or Territory at least two years next preceding his election, nor unless he shall have been at the time of his election, an elector in the judicial district for which he is elected.

25.

The judge of the District Courts shall, on or before the first day of July in each year, report in writing to the justices of the Supreme Court, such defects or omissions in the laws as their knowledge and experience may suggest, and the justices of the Supreme Court shall, on or before the first day of December of each year, report in writing to the Governor, to be by him transmitted to the Legislature, together with his message, such defects and omissions in the Constitution and laws as they may find to exist.

ILLINOIS.**21. VI.**

Justices of the peace, police magistrates and constables shall be elected in and for such districts as are, or may be, provided by law, and the jurisdiction of such justices of the peace and police magistrates shall be uniform.

Sec. Art.**28. VI.**

All justices of the peace in the city of Chicago shall be appointed by the Governor, by and with the advice and consent of the Senate (but only upon the recommendation of a majority of the judges of the Circuit, Superior and County Courts), and for such districts as are now or shall hereafter be provided by law. They shall hold their offices for four years, and until their successors have been commissioned and qualified, but they may be removed by summary proceeding in the Circuit or Superior Court for extortion or other malfeasance. Existing justices of the peace and police magistrates may hold their offices until the expiration of their respective terms.

INDIANA.**14. VII.**

A competent number of justices of the peace shall be elected by the voters in each township in the several counties. They shall continue in office four years, and their powers and duties shall be prescribed by law.

IOWA.**5. V.**

The District Court shall consist of a single judge, who shall be elected by the qualified electors of the district in which he resides. The judge of the District Court shall hold his office for the term of four years, and until his successor shall have been elected and qualified; and shall be ineligible to any other office, except that of judge of the Supreme Court during the term for which he was elected.

6. V.

The District Court shall be a court of law and equity, which shall

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be distinct and separate jurisdictions, and have jurisdiction in civil and criminal matters arising in their respective districts, in such manner as shall be prescribed by law.

1. XI.

The jurisdiction of justices of the peace shall extend to all civil cases, (except cases in chancery, and cases where the question of title to real estate may arise,) where the amount in controversy does not exceed one hundred dollars, and by the consent of parties may be extended to any amount not exceeding three hundred dollars.

KANSAS.

5. III.

The State shall be divided into five judicial districts, in each of which there shall be elected, by the electors thereof, a district judge, who shall hold his office for the term of four years. District courts shall be held at such times and places as may be provided by law.

6. III.

The District Courts shall have such jurisdiction in their respective districts as may be provided by law.

9. III.

Two justices of the peace shall be elected in each township, whose term of office shall be two years, and whose powers and duties shall be prescribed by law. The number of justices of the peace may be increased in any township by law.

20. III.

Provision shall be made by law for the selection, by the bar, of a pro tempore judge of the District Court, when the judge is absent or otherwise unable or disqualified to sit in any case.

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LOUISIANA.

Art. 102. All causes on appeal to the Courts of Appeal shall be tried on the original record, pleadings and evidence in the District Court.

Art. 109. District Courts shall have original jurisdiction in all civil matters where the amount in dispute shall exceed fifty dollars, exclusive of interest.

They shall have unlimited original jurisdiction in all criminal, probate and succession matters, and when a succession is a party defendant.

The district judges shall be elected by a plurality of the qualified voters of their respective districts in which they shall have been actual residents for two years next preceding their election.

They shall be learned in the law and shall have practiced law in the State for five years previous to their election.

They shall be elected for the term of four years. All elections to fill vacancies occasioned by death, resignation or removal shall be for the unexpired term and the Governor shall fill the vacancy until an election can be held.

The judges of the District Courts shall each receive a salary of three thousand dollars per annum, payable monthly on their respective warrants.

Art. III. The District Courts shall have jurisdiction of appeals from justices of the peace in all matters where the amount in controversy shall exceed ten dollars, exclusive of interest.

Art. 112. The General Assembly shall provide by law for the trial of recused cases in the District Courts by the selection of licensed attorneys at law, by an in-

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terchange of judges or otherwise.

Art. 115. The district judges shall have power to issue writs of habeas corpus at the instance of all persons in actual custody in their respective districts.

Art. 117. In those districts composed of one parish there shall not be less than six terms of the District Court each year.

In all other districts there shall be in each parish not less than four terms of the District Court each year, except in the parish of Cameron, in which there shall not be less than two terms of the District Court each year.

Until provided by law, the terms of the District Court in each parish shall be fixed by a rule of said court, which shall not be changed without notice by publication at least thirty days prior to such change.

There shall be in each parish not less than two jury terms each year at which a grand jury shall be impaneled, except in the parish of Cameron, in which there shall not be less than one jury term each year at which a grand jury shall be impaneled.

At other than jury terms the General Assembly shall provide for special juries when necessary for the trial of criminal cases.

123.

Clerks of the District Courts may appoint, with the approval of the district judge, deputies with such powers as shall be prescribed by law; and the General Assembly shall have power to provide for continuing one or more of them in office in the event of the death of the clerk, until his successor shall have been appointed and duly qualified.

125.

In each parish, the parish of Or-

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leans excepted, there shall be as many justices of the peace as may be provided by law.

The present number of justices of the peace shall remain as now fixed until otherwise provided. They shall be elected for the term of four years by the qualified voters within the territorial limits of their jurisdiction.

They shall have exclusive original jurisdiction in all civil matters when the amount in dispute shall not exceed fifty dollars, exclusive of interest, and original jurisdiction concurrent with the District Court, when the amount in dispute shall exceed fifty dollars, exclusive of interest, and shall not exceed one hundred dollars, exclusive of interest.

They shall have no jurisdiction in succession or probate matters, or when a succession is a defendant. They shall receive such fees or salary as may be fixed by law.

130.

For the parish of Orleans there shall be two District Courts and no more. One of said courts shall be known as the Civil District Court for the parish of Orleans, and the other as the Criminal District Court for the parish of Orleans. The former shall consist of not less than five judges and the latter not less than two judges, having the qualifications prescribed for district judges throughout the State. The said judges shall be appointed by the Governor, by and with the advice and consent of the Senate, for the term of eight years. The first appointments shall be made as follows: Three judges of the Civil District Court for four years and two for eight years; one judge of the Criminal District Court

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for four years and one for eight years, the terms to be designated in their commissions.

The said judges shall receive each four thousand dollars per annum. Said Civil District Court shall have exclusive and general probate and exclusive civil jurisdiction in all causes where the amount in dispute or to be distributed exceeds one hundred dollars, exclusive of interest. All causes filed in said court shall be equally allotted and assigned among said judges in accordance with rules of court to be adopted for that purpose. In case of recusation of any judge in any cause such cause shall be reassigned to some other judge. In case of vacancy there shall be a reassignment in accordance with rules of court. Previous to reassignment, or in case of absence from the parish, sickness or other disability of the judge to whom any cause may have been assigned, any judge of said court may issue or grant conservatory writs of orders. In other respects each judge shall have exclusive control over every cause assigned to him from its inception to its final determination in said court. The Criminal District Court shall have general criminal jurisdiction only. All prosecutions instituted in said court shall be equally apportioned between said judges by lot. Each judge or his successor shall have exclusive control over every cause falling to him from its inception to final determination in said court. In case of vacancy or recusation, causes assigned shall be reassigned under order of court.

Art. 131. The General Assembly may increase the number of judges of the Civil District

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Court, not, however, to exceed nine judges, and the number of the criminal judges, not to exceed three.

Art. 133. The Civil District Court for the parish of Orleans shall select a solvent incorporated bank of the city of New Orleans as a judicial depository. Therein shall be deposited all moneys, notes, bonds and securities (except such notes or documents as may be filed with suits or in evidence, which shall be kept by the clerk of court), so soon as the same shall come into the hands of any sheriff or clerk of court; such deposits shall be removable, in whole or in part, only upon order of court. The officer making such deposits shall make immediate and written return to the court of the date and particulars thereof, to be filed in the cause in which the matter is pending, under penalties to be prescribed by law.

MAINE.

5. VI.

Justices of the peace and notaries public shall hold their offices during seven years, if they so long behave themselves well, at the expiration of which term they may be re-appointed or others appointed, as the public interest may require.

MARYLAND.

42. IV.

The Governor, by and with the advice and consent of the Senate, shall appoint such number of justices of the peace, and the county commissioners of the several counties, and the mayor and city council of Baltimore respectively, shall appoint such number of constables for the several election districts of the counties, and wards of the city of Baltimore, as are now or may

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hereafter be prescribed by law; and justices of the peace and constables, so appointed, shall be subject to removal by the city, for incompetency, wilful neglect of duty or misdemeanor in office, on conviction in a court of law. The justices of the peace and constables so appointed and commissioned shall be conservators of the peace, shall hold their offices for two years, and shall have jurisdiction, duties and compensation, subject to such right of appeal, in all cases, from the judgment of justices of the peace as hath been heretofore exercised or shall be hereafter prescribed by law.

43. IV.

In the event of a vacancy in the office of a justice of the peace, the Governor shall appoint a person to serve as justice of the peace for the residue of the term; and in case of a vacancy in the office of constable, the county commissioners of the county in which the vacancy occurs, or the mayor and city council of Baltimore, as the case may be, shall appoint a person to serve as constable for the residue of the term.

8. VII.

Justices of the peace shall be elected by ballot at the annual meetings of the townships in the several counties of the State, and of the wards in cities that may vote in wards, in such manner and under such regulations as may be hereafter provided by law.

They shall be commissioned for the county, and their commissions shall bear date and take effect on the first day of May next after their election.

They shall hold their offices for

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five years; but when elected to fill vacancies, they shall hold for the unexpired term only: Provided, That the commission of any justice of the peace shall become vacant upon his ceasing to reside in the township in which he was elected.

The first election for justices of the peace shall take place at the next annual town meetings of the townships in the several counties of the State and of the wards in cities that may vote in wards.

MASSACHUSETTS.

3.

In order that the people may not suffer from the long continuance in place of any justice of the peace who shall fail of discharging the important duties of his office with ability or fidelity, all commissions of justices of the peace shall expire and become void, in the term of seven years from their respective dates; and, upon the expiration of any commission, the same may, if necessary, be renewed, or another person appointed, as shall most conduce to the well-being of the Commonwealth.

MICHIGAN.

17. VI.

There shall be not exceeding four justices of the peace in each organized township. They shall be elected by the electors of the township, and shall hold their offices for four years and until their successors are elected and qualified. At the first election in any township, they shall be classified as shall be prescribed by law. A justice elected to fill a vacancy shall hold his office for the residue of the unexpired term. The Legislature may increase the number of justices in cities.

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18. VI.

In civil cases, justices of the peace shall have exclusive jurisdiction to the amount of one hundred dollars, and concurrent jurisdiction to the amount of three hundred dollars, which may be increased to five hundred dollars, with such exceptions and restrictions as may be provided by law. They shall also have such criminal jurisdiction, and perform such duties as shall be prescribed by the Legislature.

2. XIX.

The district judge shall be elected by the electors of such district, and shall perform the same duties and possess the same powers as a circuit judge in his circuit, and shall hold his office for the same period.

MINNESOTA.

8. VI.

The Legislature shall provide for the election of a sufficient number of justices of the peace in each county, whose term of office shall be two years, and whose duties and compensation shall be prescribed by law: Provided, That no justice of the peace shall have jurisdiction of any civil cause where the amount in controversy shall exceed one hundred dollars, nor in a criminal cause when the punishment shall exceed three months' imprisonment or a fine over one hundred dollars, nor in any cause involving the title to real estate.

MISSISSIPPI.

171. VI.

A competent number of justices of the peace and constables shall be chosen in each county in the manner provided by law, for each district, who shall hold their

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office for the term of four years. No person shall be eligible to the office of justice of the peace who shall not have resided two years in the district next preceding his selection. The jurisdiction of justices of the peace shall extend to causes in which the amount in controversy shall not exceed the sum of two hundred dollars; and they shall have jurisdiction concurrent with the Circuit Court over all crimes whereof the punishment prescribed does not extend beyond a fine and imprisonment in the county jail; but the Legislature may confer on the justices of the peace exclusive jurisdiction in such petty misdemeanors as it shall see proper. In all causes tried by a justice of the peace, the right of appeal shall be secured under such rules and regulations as shall be prescribed by law, and no justice of the peace shall preside at the trial of any cause where he may be interested, or the parties or either of them shall be connected with him by affinity or consanguinity, except by the consent of the justice of the peace and of the parties.

MISSOURI.

37. VI.

In each county there shall be appointed, or elected, as many justices of the peace as the public good may require, whose powers, duties and duration of office shall be regulated by law.

MONTANA.

8. III.

Criminal offenses of which Justices Courts and municipal and other courts, inferior to the District Courts, have jurisdiction, shall, in all courts inferior to the District Court be prosecuted by complaint. All criminal ac-

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tions in the District Court. except those on appeal, shall be prosecuted by information, after examination and commitment, by a magistrate, or after leave granted by the court, or shall be prosecuted by indictment without such examination or commitment, or without such leave of the court. A grand jury shall consist of seven persons, of whom five must concur to find an indictment.

A grand jury shall only be drawn and summoned when the district judge shall in his discretion consider it necessary, and shall so order.

11. VIII.

The District Court shall have original jurisdiction in all cases at law and in equity, including all cases which involve the title or right of possession of real property, or the legality of any tax, impost, assessment, toll or municipal fine, and in all cases in which the debt, damage, claim or demand, exclusive of interest, or the value of the property in controversy exceeds fifty dollars; and in all criminal cases amounting to felony, and in all cases of misdemeanor not otherwise provided for; of actions of forcible entry and unlawful detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate; of actions of divorce and for annulment of marriage, and for all such special actions and proceedings as are not otherwise provided for. And said courts shall have the power of naturalization, and to issue papers therefor, in all cases where they are authorized so to do by the laws of the United States. They shall have appellate jurisdiction in such cases arising in justices' and other in-

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ferior courts in their respective districts as may be prescribed by law, and consistent with this Constitution. Their process shall extend to all parts of the State, provided that all actions for the recovery of, the possession of, quieting the title to, or for the enforcement of liens upon real property, shall be commenced in the county in which the real property, or any part thereof, affected by such action or actions is situated. Said courts and the judges thereof shall have power also to issue, hear and determine writs of mandamus, quo warranto, certiorari, prohibition, injunction and other original and remedial writs, and also all writs of habeas corpus on petition by, or on behalf of, any person held in actual custody in their respective districts. Injunctions, writs of prohibition and habeas corpus, may be issued and served on legal holidays and non-judicial days.

12. VIII.

The State shall be divided into judicial districts, in each of which there shall be elected by the electors thereof one judge of the District Court, whose term of office shall be four years, except that the district judges first elected shall hold their offices only until the general election in the year one thousand eight hundred and ninety-two (1892), and until their successors are elected and qualified. Any judge of the District Court may hold court for any other district judge, and shall do so when required by law.

15. VIII.

Writs of error and appeal shall be allowed from the decisions of the said District Courts to the Supreme Courts, under such

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regulations as may be prescribed by law.

16. VIII.

No person shall be eligible to the office of judge of the District Court unless he be at least twenty-five years of age and a citizen of the United States, and shall have been admitted to practice law in the Supreme Court of the Territory or State of Montana; nor unless he shall have resided in this State or Territory at least one year next preceding his election. He need not be a resident of the district for which he is elected at the time of his election, but after his election he shall reside in the district for which he is elected during his term of office.

17. VIII.

The District Court in each county which is a judicial district by itself shall be always open for the transaction of business, except on legal holidays and non-judicial days. In each district where two or more counties are united, until otherwise provided by law, the judges of such district shall fix the term of court, provided that there shall be at least four terms a year held in each county.

20. VIII.

There shall be elected in each organized township of each county by the electors of such township at least two justices of the peace, who shall hold their offices, except as otherwise provided in this Constitution, for the term of two years. Justices' courts shall have such original jurisdiction within their respective counties as may be prescribed by law, except as in this Constitution otherwise provided: Provided, That they shall not have jurisdiction in any case where the debt, damage, claim

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or value of the property involved exceeds the sum of three hundred dollars.

21. VIII.

Justices' Courts shall not have jurisdiction in any case involving the title or right of possession of real property, nor in cases of divorce, nor annulment of marriage, nor of cases of equity; nor shall they have power to issue writs of habeas corpus, mandamus, certiorari, quo warranto, injunction or prohibition, nor the power of naturalization; nor shall they have jurisdiction in cases of felony, excepting as examining courts; nor shall criminal cases in said courts be prosecuted by indictment; but said courts shall have such jurisdiction in criminal matters, not of the grade of felony, as may be provided by law; and shall also have concurrent jurisdiction with the District Courts in cases of forcible entry and unlawful detainer.

22. VIII.

Justices' Courts shall always be open for the transaction of business, except on legal holidays and non-judicial days.

23. VIII.

Appeals shall be allowed from Justices Courts in all cases, to the District Courts, in such manner and under such regulations as may be prescribed by law.

36. VIII.

A civil action in the District Court may be tried by a judge pro tempore, who must be a member of the bar of the State, agreed upon in writing by the parties litigant, or their attorneys of record, approved by the court, and sworn to try the cause; and in such case any order, judgment or decree made or rendered therein by such

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Judge pro tempore shall have the same force and effect as if made or rendered by the court with the regular judge presiding.

NEBRASKA.**6. VI.**

The District Courts in the several judicial districts of this State shall have original jurisdiction in all cases in equity; also, in all cases at law which involve the title or the right of possession to, or the possession of, real property or mining claims, or the legality of any tax, impost, assessment, toll, or municipal fine, and in all other cases in which the demand (exclusive of interest), or the value of the property in controversy, exceeds three hundred dollars; also, in all cases relating to the estates of deceased persons, and the persons and estates of minors and insane persons, and of the action of forcible entry and unlawful detainer; and also in all criminal cases not otherwise provided for by law. They shall, also, have final appellate jurisdiction in cases arising in Justices' Courts, and such other inferior tribunals as may be established by law. The District Courts and the judges thereof shall have power to issue writs of mandamus, injunction, quo warranto, certiorari, and all other writs proper and necessary to the complete exercise of their jurisdiction; and also shall have power to issue writs of habeas corpus on petition by, or in behalf of, any person held in actual custody in their respective districts.

9. VI.

The District Courts shall have both chancery and common law jurisdiction, and such other jurisdiction as the Legislature

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may provide, and the judges thereof may admit persons charged with felony to a plea of guilty, and pass such sentence as may be prescribed by law.

12. VI.

The judges of the District Courts may hold courts for each other, and shall do so when required by law.

18. VI.

Justices of the peace and police magistrates shall be elected in and for such districts, and have and exercise such jurisdiction as may be provided by law: Provided, That no justice of the peace shall have jurisdiction of any civil case where the amount in controversy shall exceed two hundred dollars; nor in a criminal case where the punishment may exceed three months' imprisonment, or a fine of over one hundred dollars; nor in any matter wherein the title or boundaries of land may be in dispute.

NEVADA.**8. VI.**

The Legislature shall determine the number of justices of the peace to be elected in each city and township of the State, and shall fix, by law, their powers, duties and responsibilities: Provided, That such Justices' Courts shall not have jurisdiction of the following cases, viz.: First—Of cases in which the matter in dispute is a money demand or personal property, and the amount of the demand (exclusive of interest), or the value of the property, exceeds three hundred dollars. Second—Of cases wherein the title to real estate or mining claims, or questions of boundaries to land, is or may be involved; or of cases that shall in

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any manner conflict with the jurisdiction of the several courts of record in this State; and, provided further, That Justices' Courts shall have such criminal jurisdiction as may be prescribed by law; and the Legislature may confer upon said courts jurisdiction, concurring with the District Courts, of actions to enforce mechanics' liens, wherein the amount (exclusive of interest) does not exceed three hundred dollars; and also of actions for the possession of lands and tenements, where the relation of landlord and tenant exists, or when such possession has been unlawfully or fraudulently obtained or withheld. The Legislature shall also prescribe, by law, the manner, and determine the cases, in which appeals may be taken from Justices' and other courts. The Supreme Court, the District Courts, and such other courts as the Legislature shall designate, shall be the courts of record.

NEW HAMPSHIRE.

75.

In order that the people may not suffer from the long continuance in place of any justice of the peace who shall fail in discharging the important duties of his office with ability and fidelity, all commissions of justices of the peace shall become void at the expiration of five years from their respective dates; and, upon the expiration of any commission, the same may, if necessary, be renewed, or other person appointed, as shall most conduce to the well-being of the State.

77.

The General Court are empowered to give to justices of the peace jurisdiction in civil causes, when

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the damages demanded shall not exceed one hundred dollars, and title of real estate is not concerned, but with right of appeal to either party to some other court.

NEW JERSEY.

1. VI.

There may be elected under this Constitution two, and not more than five, justices of the peace in each of the townships of the several counties of this State, and in each of the wards, in cities that may vote in wards. When a township or ward contains two thousand inhabitants or less, it may have two justices; when it contains more than two thousand inhabitants, and not more than four thousand, it may have four justices; and when it contains more than four thousand inhabitants, it may have five justices; provided, that whenever any township not voting in wards containing more than seven thousand inhabitants, such township may have an additional justice for each additional three thousand inhabitants above four thousand.

NORTH CAROLINA.

27. IV.

The several justices of the peace shall have jurisdiction, under such regulations as the General Assembly shall prescribe, of civil actions founded on contract, wherein the sum demanded shall not exceed two hundred dollars, and wherein the title to real estate shall not be in controversy; and of all criminal matters arising within their counties where the punishment cannot exceed a fine of fifty dollars or imprisonment for thirty days. And the General Assembly may give to justices of the peace jurisdiction of other civil

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actions, wherein the value of the property in controversy does not exceed fifty dollars. When an issue of fact may be joined before a justice, on demand of either party thereto, he shall cause a jury of six men to be summoned, who shall try the same. The party against whom judgment shall be rendered in any civil action may appeal to the Superior Court from the same. In all cases of a criminal nature, the party against whom judgment is given may appeal to the Superior Court, where the matter shall be heard anew. In all cases brought before a justice, he shall make a record of the proceedings, and file the same with the clerk of the Superior Court for his county.

28. IV.

When the office of justice of the peace shall become vacant otherwise than by the expiration of the term, and in case of a failure by the voters of any district to elect, the clerk of the Superior Court for the county shall appoint to fill the vacancy for the unexpired term.

5. VII.

In each township there shall be biennially elected by the qualified voters thereof a clerk and two justices of the peace, who shall constitute a board of trustees, and shall under the supervision of the county commissioners, have control of the taxes and finances, roads, and bridges of the townships, as may be prescribed by law. The General Assembly may provide for the election of a larger number of the justices of the peace in cities and towns and in those townships in which cities and towns are situated. In every township there shall also be biennially

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elected a school committee, consisting of three persons, whose duties shall be prescribed by law.

11. VII.

The Governor shall appoint a sufficient number of justices of the peace in each county, who shall hold their places until sections 4, 5 and 6 of this article shall have been carried into effect.

NORTH DAKOTA.**103. IV.**

The District Court shall have original jurisdiction except as otherwise provided in this Constitution, of all causes both at law and equity, and such appellate jurisdiction as may be conferred by law. They and the judges thereof shall also have jurisdiction and power to issue writs of habeas corpus, quo warranto, certiorari, injunction and other original and remedial writs, with authority to hear and determine the same.

104. IV.

The State shall be divided into six judicial districts, in each of which there shall be elected at general elections, by the electors thereof, one judge of the District Court therein, whose term of office shall be four years from the first Monday in January succeeding his election, and until his successor is duly qualified. This section shall not be construed as governing the first election of district judges under this Constitution.

107. IV.

No person shall be eligible to the office of district judge unless he be learned in the law, be at least twenty-five years of age, and a citizen of the United States, nor unless he shall have resided within the State or

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Territory of Dakota at least two years next preceding his election, nor unless he shall at the time of his election be an elector within the judicial district for which he is elected.

108. IV.

There shall be a clerk of the District Court in each organized county in which a court is holden, who shall be elected by the qualified electors of the county, and shall hold his office for the same term as other county officers. He shall receive such compensation for his services as may be prescribed by law.

109. IV.

Writs of error and appeals may be allowed from the decisions of the District Courts to the Supreme Court under such regulations as may be prescribed by law.

112. IV.

The Legislative Assembly shall provide by law for the election of justices of the peace in each organized county within the State. But the number of said justices to be elected in each organized county shall be limited by law to such a number as shall be necessary for the proper administration of justice. The justices of the peace herein provided for shall have concurrent jurisdiction with the District Court in all civil actions when the amount in controversy, exclusive of costs, does not exceed \$200, and in counties where no County Court with criminal jurisdiction exists, they shall have such jurisdiction to hear and determine cases of misdemeanor as may be provided by law, but in no case shall said justice of the peace have jurisdiction when the boundaries of or title to real estate shall come in question.

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The Legislative Assembly shall have power to abolish the office of justice of the peace and confer that jurisdiction upon judges of County Courts, or elsewhere.

115. IV.

The time of holding courts in the several counties of a district shall be as prescribed by law, but at least two terms of the District Court shall be held annually in each organized county, and the Legislative Assembly shall make provision for attaching unorganized counties or territories to organized counties for judicial purposes.

116. IV.

Judges of the District Courts may hold court in other districts than their own under such regulations as shall be prescribed by law.

OHIO.

9. IV.

A competent number of justices of the peace shall be elected by the electors in each township in the several counties. Their term of office shall be three years, and their powers and duties shall be regulated by law.

6. X.

Justices of the peace and county and township officers may be removed in such manner and for such cause as shall be prescribed by law.

12.

The District Courts shall, in their respective counties, be the successors of the present Supreme Court; and all suits, prosecutions, judgments, records and proceedings pending and remaining in said Supreme Court in the several counties of any district, shall be transferred to the respective District Courts of

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such counties, and be proceeded in, as though no change had been made in said Supreme Court.

PENNSYLVANIA.**6. V.**

In the counties of Philadelphia and Allegheny all the jurisdiction and powers now vested in the District Courts and Courts of Common Pleas, subject to such changes as may be made by this Constitution or by law, shall be, in Philadelphia, vested in four, and in Allegheny in two, distinct and separate courts of equal and co-ordinate jurisdiction, composed of three judges each; the said courts in Philadelphia shall be designated respectively, as the Court of Common Pleas number one, number two, number three and number four. and in Allegheny as the Court of Common Pleas number one and number two, but the number of said courts may be by law increased, from time to time, and shall be in like manner designated by successive numbers; the number of judges in any of said courts, or in any county where the establishment of an additional court may be authorized by law, may be increased from time to time, and whenever such increase shall amount in the whole to three, such three judges shall compose a distinct and separate court as aforesaid, which shall be numbered as aforesaid. In Philadelphia all suits shall be instituted in the said Courts of Common Pleas without designating the number of said court, and the several courts shall distribute and apportion the business among them in such manner as shall be provided by rules of court, and each court, to which any suit

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shall be thus assigned, shall have exclusive jurisdiction thereof, subject to change of venue, as shall be provided by law. In Allegheny each court shall have exclusive jurisdiction of all proceedings at law and in equity, commenced therein, subject to change of venue as may be provided by law.

11. V.

Except as otherwise provided in this Constitution, justices of the peace or aldermen shall be elected in the several wards, districts, boroughs and townships at the time of the election of constables by the qualified electors thereof, in such manner as shall be directed by law, and shall be commissioned by the Governor for a term of five years. No township, ward, district or borough shall elect more than two justices of the peace or aldermen without the consent of a majority of the qualified electors within such township, ward or borough; no person shall be elected to such office unless he shall have resided within the township, borough, ward or district for one year next preceding his election. In cities containing over fifty thousand inhabitants, not more than one alderman shall be elected in each ward or district.

RHODE ISLAND.**1. X.**

The towns of New Shorham and Jamestown may continue to elect their wardens as heretofore. The other towns and the city of Providence may elect such number of justices of the peace, resident therein, as they may deem proper. The jurisdiction of said justices and wardens shall be regulated by law.

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The justices shall be commissioned by the Governor.

SOUTH CAROLINA.**21. IV.**

A competent number of justices of the peace and constables shall be chosen in each county by the qualified electors thereof, in such manner as the General Assembly may direct; they shall hold their offices for a term of two years and until their successors are elected and qualified. They shall reside in the county, city or beat for which they are elected, and the justices of the peace shall be commissioned by the Governor.

22. IV.

Justices of the peace, individually, or two or more of them jointly, as the General Assembly may direct, shall have original jurisdiction in cases of bastardy, and in all matters of contract, and actions for the recovery of fines and forfeitures where the amount claimed does not exceed one hundred dollars, and such jurisdiction as may be provided by law in actions ex delicto where the damages claimed do not exceed one hundred dollars and prosecutions for assault and battery, and other penal offenses less than felony, punishable by fines only.

SOUTH DAKOTA.**22. V.**

Justices of the peace shall have such jurisdiction as may be conferred by law, but they shall not have jurisdiction of any cause wherein the value of the property or the amount in controversy exceeds the sum of one hundred dollars, or where the boundaries or title to real property shall be called in question.

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TENNESSEE.**15. VI.**

The different counties of this State shall be laid off as the General Assembly may direct, into districts of convenient size, so that the whole number in each county shall not be more than twenty-five, or four for every one hundred square miles. There shall be two justices of the peace and one constable elected in each district by the qualified voters therein, except districts including county towns, which shall elect three justices and two constables. The jurisdiction of said officers shall be co-extensive with the county. Justices of the peace shall be elected for the term of six, and constables for the term of two years. Upon removal of either of said officers from the district in which he was elected, his office shall become vacant from the time of such removal. Justices of the peace shall be commissioned by the Governor. The Legislature shall have power to provide for the appointment of an additional number of justices of the peace in incorporated towns.

TEXAS.**7. V.**

The State shall be divided into as many judicial districts as may now or hereafter be provided by law, which may be increased or diminished by law. For each district there shall be elected by the qualified voters thereof, at a general election, a judge, who shall be a citizen of the United States and of this State, who shall have been a practicing lawyer of this State or a judge of a court in this State for four years next preceding his election; who shall have resided in the district in which he was

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elected for two years next preceding his election; who shall reside in his district during his term of office; who shall hold his office for the period of four years, and shall receive for his services an annual salary of two thousand five hundred dollars, until otherwise changed by law. He shall hold the regular terms of his court at the county seat of each county in his district at least twice in each year, in such manner as may be prescribed by law. The Legislature shall have power by general or special laws to authorize the holding of special terms of the court, or the holding of more than two terms in any county for the dispatch of business. The Legislature shall also provide for the holding of District Court when the judge thereof is absent, or is from any cause disabled or disqualified from presiding. The district judges who may be in office when this amendment takes effect shall hold their offices until their respective terms shall expire under their present election or appointment.

8. V.

The District Court shall have original jurisdiction in all criminal cases of the grade of felony; in all suits in behalf of the State to recover penalties, forfeitures and escheats; of all cases of divorce; of all misdemeanors involving official misconduct; of all suits to recover damages for slander or defamation of character; of all suits for trial of title to land and for the enforcement of liens thereon; of all suits for the trial of the right of property levied upon by virtue of any writ of execution, sequestration, or attachment when the property levied on shall be equal to or

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exceed in value five hundred dollars; of all suits, complaints, or pleas whatever, without regard to any distinction between law and equity, when the matter in controversy shall be valued at or amount to five hundred dollars exclusive of interest; of contested elections; and said court and the judges thereof shall have power to issue writs of habeas corpus, mandamus, injunction, and certiorari, and all writs necessary to enforce their jurisdiction. The District Court shall have appellate jurisdiction and general control in probate matters over the County Court established in each county, for appointing guardians, granting letters testamentary and of administration, probating wills, for settling the accounts of executors, administrators, and guardians, and for the transaction of all business appertaining to estates; and original jurisdiction and general control over executors, administrators, guardians, and minors, under such regulations as may be prescribed by law. The District Court shall have appellate jurisdiction and general supervisory control over the County Commissioners' Court, with such exceptions and under such regulations as may be prescribed by law; and shall have general original jurisdiction over all causes of action whatever for which a remedy or jurisdiction is not provided by law or this Constitution, and such other jurisdiction, original and appellate, as may be provided by law.

10. V.

In the trial of all causes in the District Courts, the plaintiff or defendant shall, upon applica-

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tion made in open court, have the right of trial by jury; but no jury shall be empaneled in any civil case unless demanded by a party to the case, and a jury fee be paid by the party demanding a jury, for such sum and with such exceptions as may be prescribed by the Legislature.

19. V.

Justices of the peace shall have jurisdiction in criminal matters of all cases where the penalty or fine to be imposed by law may not be more than for two hundred dollars, and in civil matters of all cases where the amount in controversy is two hundred dollars or less, exclusive of interest, of which exclusive original jurisdiction is not given to the District or County Courts; and such other jurisdiction, criminal or civil, as may be provided by law, under such regulations as may be prescribed by law; and appeals to the County Courts shall be allowed in all cases decided in Justices' Courts where the judgment is for more than twenty dollars, exclusive of costs, and in all criminal cases, under such regulations as may be prescribed by law. And the justices of the peace shall be ex-officio notaries public; and they shall hold their courts at such times and places as may be provided by law.

VERMONT.

XVIII.

Justices of the peace shall be elected by the freemen of their respective towns; and towns having less than one thousand inhabitants may elect any number of justices of the peace, not exceeding five; towns having one thousand, and less than two thousand inhabitants, may elect

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seven; towns having two thousand, and less than three thousand inhabitants, may elect ten; towns having three thousand, and less than five thousand inhabitants, may elect twelve; and towns having five thousand, or more, inhabitants, may elect fifteen justices of the peace.

WASHINGTON.

10. IV.

The Legislature shall determine the number of justices of the peace to be elected in incorporated cities or towns and in precincts, and shall prescribe by law the powers, duties and jurisdiction of justices of the peace: Provided, That such jurisdiction granted by the Legislature shall not trench upon the jurisdiction of Superior or other courts of record, except that justices of the peace may be made police justices of incorporated cities and towns. In incorporated cities or towns having more than five thousand inhabitants the justices of the peace shall receive such salary as may be provided by law, and shall receive no fees for their own use.

WEST VIRGINIA.

28. VIII.

The civil jurisdiction of a justice of the peace shall extend to actions of assumpsit, debt, detinue and trover, if the amount claimed, exclusive of interest, does not exceed three hundred dollars. The jurisdiction of justices of the peace shall extend throughout their county; they shall be conservators of the peace and have such jurisdiction and powers in criminal cases as may be prescribed by law. And justices of the peace shall have authority to take the acknowledgment of deeds and

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other writings, administer oaths and take and certify depositions. And the Legislature may give to justices such additional civil jurisdiction and powers within their respective counties as may be deemed expedient, under such regulations and restrictions as may be prescribed by general law, except that in suits to recover money or damages their jurisdiction and powers shall in no case exceed three hundred dollars. Appeal shall be allowed from judgments of justices of the peace in such manner as may be prescribed by law.

WISCONSIN.

15. VIII.

The electors of the several towns, at their annual town meetings, and the electors of cities and villages, at their charter elections, shall, in such manner as the Legislature may direct, elect justices of the peace, whose term of office shall be for two years, and until their successors in office shall be elected and qualified. In case of an election to fill a vacancy occurring before the expiration of a full term the justice elected shall hold for the residue of the unexpired term. Their number and classifications shall be regulated by law. And the tenure of two years shall in no wise interfere with the classification in the first instance. The justices thus elected shall have such civil and criminal jurisdiction as shall be prescribed by law.

WYOMING.

10. V.

The District Court shall have original jurisdiction of all causes both at law and in equity and in all criminal cases, of all matters of probate and insolvency

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and of such special cases and proceedings as are not otherwise provided for. The District Court shall have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court; and said court shall have the power of naturalization and to issue papers therefor. They shall have such appellate jurisdiction in cases arising in justices' and other inferior courts in their respective counties as may be prescribed by law. Said courts and their judges shall have power to issue writs of mandamus, quo warranto, review, certiorari, prohibition, injunction and writs of habeas corpus, on petition by or on behalf of any person in actual custody in their respective districts.

11. V.

The judges of the District Courts may hold courts for each other and shall do so when required by law.

12. V.

No person shall be eligible to the office of judge of the District Court unless he be learned in the law, be at least twenty-eight years of age, and a citizen of the United States, nor unless he shall have resided in the State or territory of Wyoming at least two years next preceding his election.

14. V.

The Legislature shall provide by law for the appointment by the several District Courts of one or more District Court commissioners (who shall be persons learned in the law) in each organized county in which a District Court is holden, such commissioners shall have authority to perform such chamber business in the

Justice of the Peace.

Sec. Art.

absence of the district judge from the county or upon his written statement filed with the papers, that it is improper for him to act, as may be prescribed by law, to take depositions and perform such other duties, and receive such compensation as shall be prescribed by law.

19. V.

Until otherwise provided by law, the State shall be divided into three judicial districts, in each of which there shall be elected at general elections, by the electors thereof, one judge of the District Court therein, whose term shall be six (6) years from the first Monday in January succeeding his election and until his successor is duly qualified.

22. V.

The Legislature shall provide by

Sec. Art.

law for the election of justices of the peace in each organized county in each State. But the number of said justices to be elected in each organized county shall be limited by law to such number as shall be necessary for the proper administration of justice. The justices of the peace herein provided for shall have concurrent jurisdiction with the District Court in all civil actions where the amount in controversy, exclusive of the costs, does not exceed two hundred dollars, and they shall have such jurisdiction to hear and determine cases of misdemeanor as may be provided by law, but in no case shall said justices of the peace have jurisdiction when the boundaries of or title to real estate shall enter into question.

Inferior Local Courts.

INFERIOR LOCAL COURTS.

1 Sec. 18. Inferior local courts of civil and criminal juris-
 2 diction may be established by the Legislature, but no inferior
 3 local court hereafter created shall be a court of record. The
 4 Legislature shall not hereafter confer upon any inferior or local
 5 court of its creation, any equity jurisdiction or any greater
 6 jurisdiction in other respects than is conferred upon County
 7 Courts by or under this article. Except as herein otherwise
 8 provided, all judicial officers shall be elected or appointed at
 9 such times and in such manner as the Legislature may direct.

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CALIFORNIA.

13. VI.

The Legislature shall fix by law the jurisdiction of any inferior courts which may be established in pursuance of section one of this article, and shall fix by law the powers, duties and responsibilities of the judges thereof.

FLORIDA.

34. V.

The Legislature may establish in incorporated towns and cities, courts for the punishment of offense against municipal ordinances.

IDAHO.

14. V.

The Legislature may provide for the establishment of special courts for the trial of misdemeanors in incorporated cities and towns where the same may be necessary.

KENTUCKY.

148.

A Police Court may be established

Sec. Art.

in each city and town in this State, with jurisdiction in cases of violation of municipal ordinances and by-laws occurring within the corporate limits of the city or town in which it is established, and such criminal jurisdiction within the said limits as justices of the peace have. The said courts may be authorized to act as examining courts, but shall have no civil jurisdiction: Provided, the General Assembly may confer civil jurisdiction on Police Courts in cities and towns of the fourth and fifth classes, and in towns of the sixth class having a population of two hundred and fifty or more, which jurisdiction shall be uniform throughout the State, and not exceed that of justices of the peace.

LOUISIANA.

136.

The General Assembly may provide for Police or Magistrates'

Inferior Local Courts.

Sec. Art.

Courts; but such courts shall not be vested with jurisdiction beyond the enforcement of municipal ordinances or as committing magistrates.

MAINE.**8. VI.**

Judges of Municipal and Police Courts shall be appointed by the executive power, in the same manner as other judicial officers, and shall hold their offices for the term of four years; provided, however, that the present incumbents shall hold their offices for the term for which they were elected.

MISSISSIPPI.**172. VI.**

The Legislature shall, from time to time, establish such other inferior courts as may be necessary, and abolish the same whenever deemed expedient.

NEVADA.**9. VI.**

Provision shall be made, by law, prescribing the powers, duties, and responsibilities of any Municipal Court that may be established in pursuance of section 1 of this article; and also fixing by law, the jurisdiction of said court, so as not to conflict with that of the several courts of record.

NORTH DAKOTA.**113. IV.**

The legislative assembly shall provide by law for the election of police magistrates in cities, incorporated towns and villages, who in addition to their jurisdiction of all cases arising under the ordinances of said cities, towns and villages, shall be ex-officio justices of the peace of the county in which said cities, towns and villages

Sec. Art.

may be located. And the legislative assembly may confer upon said police magistrates the jurisdiction to hear, try and determine all cases of misdemeanors, and the prosecutions therein shall be by information.

SOUTH DAKOTA.**23. V.**

The Legislature shall have power to provide for creating such police magistrates for cities and towns as may be deemed, from time to time, necessary, who shall have jurisdiction of all cases arising under the ordinances of such cities and towns respectively, and such police magistrates may also be constituted ex-officio justices of the peace for their respective counties.

TENNESSEE.**10. VI.**

The judges or justices of inferior courts of law and equity shall have power in civil cases to issue writs of certiorari; to remove any cause, or the transcript of the record thereof, from any inferior jurisdiction in such court of law, on sufficient cause, supported by oath or affirmation.

VIRGINIA.**14. VI.**

For each city and town in the State containing a population of five thousand shall be elected, on the joint vote of the two houses of the General Assembly, one city judge, who shall hold a Corporation or Hustings Court of said city or town as often and as many days in each month as may be prescribed by law, with similar jurisdiction which may be given by law to the Circuit Courts of this State, and who shall hold his office for the term of six years: Pro-

Inferior Local Courts.

Sec. Art.

vided, That in cities or towns containing thirty thousand inhabitants there may be elected an additional judge to hold courts of probate and record, separate and apart from the Corporation or Hustings Courts, and perform such other duties as shall be prescribed by law.

WEST VIRGINIA.**19. VIII.**

The Legislature may establish courts of limited jurisdiction within any county, incorporated city, town or village, with the right of appeal to the Circuit Court, subject to such limitations as may be prescribed by law; and all courts of limited jurisdiction heretofore established in any county, incorpo-

Sec. Art.

ated city, town or village shall remain as at present constituted until otherwise provided by law. The Municipal Court of Wheeling shall continue in existence until otherwise provided by law, and said court and the judge thereof shall exercise the powers and jurisdiction heretofore conferred upon them; and appeals in civil cases from said court shall lie directly to the Supreme Court of Appeals.

WYOMING.**23. V.**

Appeals shall lie from the final decisions of justices of the peace and police magistrates in such cases and purposes in which real estate shall come into question.

Clerks of Courts.

CLERKS OF COURTS.

1 Sec. 19. Clerks of the several counties shall be clerks
 2 of the Supreme Court, with such powers and duties as shall
 3 be prescribed by law. The justices of 'the Appellate Division
 4 in each department shall have power to appoint and to 'remove
 5 a clerk who shall keep his office' at a place to be designated by
 6 said justices. The clerk of the Court of Appeals shall 'keep
 7 his office at the seat of government. 'The clerk of the Court
 8 of Appeals and the clerks of the Appellate Division shall
 9 receive 'compensation to be established by law and paid out of
 10 the public treasury.

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ALABAMA.**22. VI.**

A clerk of the Supreme Court shall be appointed by the judges thereof and shall hold office during the term of the judges making the appointment, and clerks of such inferior courts as may be established by law, shall be appointed by the judges thereof, and shall hold office during the term of the judge making such appointment.

23. VI.

Clerks of the Circuit Court shall be elected by the qualified electors in each county, for the term of six years. Vacancies in such offices shall be filled by the Governor for the unexpired term.

ARKANSAS.**19. VII.**

The clerks of the Circuit Court shall be elected by the qualified

Sec. Art.

electors of the several counties, for the term of two years, and and shall be ex-officio clerks of the County and Probate Courts and Recorder: Provided, that in any county having a population exceeding fifteen thousand inhabitants, as shown by the last federal census, there shall be elected a county clerk, in like manner as clerk of the Circuit Court, who shall be ex officio clerk of the Probate Court of said county.

CALIFORNIA.**14. VI.**

The Legislature shall provide for the election of a clerk of the Supreme Court, and shall fix by law his duties and compensation, which compensation shall not be increased or diminished during the term for which he shall have been elected. The

Clerks of Courts.

Sec. Art.

county clerks shall be ex officio clerks of the courts of record in and for their respective counties, or cities and counties. The Legislature may also provide for the appointment, by the several Superior Courts, of one or more commissioners in their respective counties, or cities and counties, with authority to perform chamber business of the judges of the Superior Courts, to take depositions, and perform such other business connected with the administration of justice as may be prescribed by law.

9. VI. COLORADO.

There shall be a clerk of the Supreme Court, who shall be appointed by the judges thereof, and shall hold his office during the pleasure of said judges, and whose duties and emoluments shall be as prescribed by law and by the rules of the Supreme Court.

19. VI.

There shall be a clerk of the District Court in each county wherein a term is held, who shall be appointed by the judge of the district, to hold his office during the pleasure of the judge. His duties and compensation shall be as provided by law, and regulated by the rules of the court.

30. V. FLORIDA.

The clerk of said court shall be elected by the electors of the county in which the court is held, and shall hold office for four years, and his compensation shall be fixed by law. He shall also be clerk of the County Court. The sheriff of the county shall be the executive officer of said court, and his duties and fees shall be fixed by law.

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IDAHO.

15. V.

The clerk of the Supreme Court shall be appointed by the court, and shall hold his office during the pleasure of the court. He shall receive such compensation for his services as may be provided by law.

ILLINOIS.

10. VI.

At the time of the election of representatives in the General Assembly, happening next preceding the expiration of the terms of office of the present clerks of said court, one clerk of said court for each division shall be elected, whose term of office shall be six years from said election, but who shall not enter upon the duties of his office until the expiration of the term of his predecessor, and every six years thereafter one clerk of said court for each division shall be elected.

27. VI.

The present clerk of the Recorder's Court of the city of Chicago shall be the clerk of the Criminal Court of Cook county during the term for which he was elected. The present clerks of the Superior Court of Chicago, and the present clerk of the Circuit Court of Cook county, shall continue in office during the terms for which they were respectively elected; and thereafter there shall be but one clerk of the Superior Court, to be elected by the qualified electors of said county, who shall hold his office for the term of four years, and until his successor is elected and qualified.

INDIANA.

7. VII.

There shall be elected by the voters of the State a clerk of the

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Supreme Court, who shall hold his office for four years, and whose duties shall be prescribed by law.

KANSAS.**4. III.**

There shall be appointed, by the justices of the Supreme Court, a reporter and clerk of said court, who shall hold their offices two years, and whose duties shall be prescribed by law.

7. III.

There shall be elected in each organized county, a clerk of the District Court, who shall hold his office two years, and whose duties shall be prescribed by law.

KENTUCKY.**120.**

The present clerk of the Court of Appeals shall serve until the expiration of the term for which he was elected, and until his successor is elected and qualified. At the election in the year eighteen hundred and ninety-seven there shall be elected by the qualified voters of the State a clerk of the Court of Appeals, who shall take his office the first Monday in September, eighteen hundred and ninety-eight, and who shall hold his office until the regular election in nineteen hundred and three, and until his successor shall be elected and qualified. In nineteen hundred and three and thereafter the clerk of the Court of Appeals shall be elected at the same time as the Governor, for the term of four years; and the said clerk shall take his office on the first Monday in January following his election, and shall hold his office until his successor is elected and

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qualified. The clerk shall be ineligible for the succeeding term.

121.

No person shall be eligible to the office of clerk of the Court of Appeals unless he is a citizen of Kentucky, a resident thereof for two years next preceding his election, of the age of twenty-one years, and have a certificate from a judge of the Court of Appeals that he has been examined by him, or by the clerk of his court under his supervision, and that he is qualified for the office.

LOUISIANA.

Art. 121. There shall be a clerk of the District Court in each parish, the parish of Orleans excepted, who shall be ex officio clerk of the Court of Appeal.

He shall be elected by the qualified electors of the parish every four years, and shall be ex officio parish recorder of conveyances, mortgages and other acts, and notary public.

He shall receive no compensation for his services from the State or the parish in criminal matters.

He shall give bond and security for the faithful performance of his duties in such amount as shall be fixed by the General Assembly.

Art. 137. There shall be one clerk for the Civil District Court and one for the Criminal District Court of the parish of Orleans. The former shall be ex officio clerk of the Court of Appeals of said parish. Said clerks shall be removable in the manner provided for the removal of the sheriffs of said parish. The clerk of said Civil District Court shall receive an annual salary of three thousand six hundred dollars and no more;

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and the clerk of the Criminal Court an annual salary of three thousand dollars and no more, both payable quarterly on their warrants. They shall be elected by the qualified voters of the parish for the term of four years.

The amount and character of the bonds and qualifications of the sureties to be furnished by said clerks shall be prescribed by law.

MARYLAND.**10. IV.**

The clerks of the several courts created or continued by this Constitution, shall have charge and custody of the records and other papers, shall perform all the duties and be allowed the fees which appertain to their several offices, as the same now are or may hereafter be regulated by law. And the office and business of said clerks in all their departments, shall be subject to the visitatorial power of the judges of their respective courts, who shall exercise the same from time to time, so as to insure the faithful performance of the duties of said offices; and it shall be the duty of the judges of said courts, respectively, to make, from time to time, such rules and regulations as may be necessary and proper for the government of said clerks, and for the performance of the duties of their offices, which shall have the force of law until repealed or modified by the General Assembly.

17. IV.

There shall be a clerk of the Court of Appeals, who shall be elected by the legal and qualified voters of the State, who shall hold his office for six years, and until his successor is

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duly qualified; he shall be subject to removal by the said court for incompetency, neglect of duty, misdemeanor in office, or such other cause, or causes, as may be prescribed by law; and in case of vacancy in the office of said clerk, the Court of Appeals shall appoint a clerk of said court, who shall hold his office until the election and qualification of his successor, who shall be elected at the next general election for members of the General Assembly; and the person so elected shall hold his office for the term of six years from the time of his election.

25. IV.

There shall be a clerk of the Circuit Court for each county who shall be elected by a plurality of the qualified voters of said county, and shall hold his office for six years from the time of his election, and until his successor is elected and qualified, and be re-eligible, subject to be removed for willful neglect of duty, or other misdemeanor in office, on conviction in a court of law. In case of a vacancy in the office of clerk of a Circuit Court, the judges of said court shall have the power to fill such vacancy until the general election for delegates to the General Assembly, to be held next thereafter, when a successor shall be elected for a term of six years.

MICHIGAN.**12. VI.**

The clerk of each county organized for judicial purposes shall be the clerk of the Circuit Court of such county. The Supreme Court shall have power to appoint a clerk for such Supreme Court.

MINNESOTA.**13. VI.**

There shall be elected in each

Clerks of Courts.

Sec. Art.

county where a District Court shall be held, one clerk of said court, whose qualifications, duties and compensation shall be prescribed by law, and whose term of office shall be four years.

MISSISSIPPI.**168. VI.**

The clerk of the Supreme Court shall be elected as other State officers, for the term of four years, and the clerk of the Circuit Court and the clerk of the Chancery Court shall be selected in each county in the manner provided by law, and shall hold office for the term of four years, and the Legislature shall provide by law what duties shall be performed during vacation by the clerks of the Circuit and Chancery Courts, subject to the approval of the court.

MISSOURI.**18. VI.**

The clerk of the Supreme Court at St. Louis shall be the clerk of the St. Louis Court of Appeals until the expiration of the term for which he was appointed clerk of the Supreme Court, and until his successor shall be duly qualified.

21. VI.

Upon the adoption of this Constitution, and after the close of the next regular terms of the Supreme Court at St. Louis and St. Joseph, as now established by law, the office of the clerk of the Supreme Court at St. Louis and St. Joseph shall be vacated, and said clerk shall transmit to the clerk of the Supreme Court at Jefferson City all the books, records, documents, transcripts and papers belonging to their respective offices, except those required by section 19 of this article to be turned over to the

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St. Louis Court of Appeals, and said records, documents, transcripts and papers shall become part of the records, documents, transcripts and papers of said Supreme Court at Jefferson city, and said court shall hear and determine all the cases thus transferred as other cases.

39. VI.

The St. Louis Court of Appeals and Supreme Court shall appoint their own clerks. The clerks of all other courts of record shall be elective, for such terms and in such manner as may be directed by law: Provided, That the term of office of no existing clerk of any court of record, not abolished by this Constitution, shall be affected by such law.

MONTANA.**18. VIII.**

There shall be a clerk of the District Court in each county, who shall be elected by the electors of his county. The clerk shall be elected at the same time and for the same term as the district judge. The duties and compensation of the said clerk shall be as provided by law.

NEBRASKA.**8. VI.**

There shall be appointed by the Supreme Court a reporter, who shall also act as clerk of the Supreme Court and librarian of the law and miscellaneous library of the State, whose term of office shall be four years, unless sooner removed by the court, whose salary shall be fixed by law, not to exceed fifteen hundred dollars per annum. The copyright of the State reports shall forever belong to the State.

NEW JERSEY.**6. VII.**

Clerks and surrogates of counties

Clerks of Courts.

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shall be elected by the people of their respective counties, at the annual elections for members of the General Assembly. They shall hold their offices for five years.

NORTH CAROLINA.**15. IV.**

The Clerk of the Supreme Court shall be appointed by the court, and shall hold his office for eight years.

16. IV.

A clerk of the Superior Court for each county shall be elected by the qualified voters thereof, at the time and in the manner prescribed by law for the election of members of the General Assembly.

17. IV.

Clerks of the Superior Courts shall hold their offices for four years.

29. IV.

In case the office of clerk of a Superior Court for a county shall become vacant otherwise than by the expiration of the term, and in case of failure by the people to elect, the judge of the Superior Court for the county shall appoint to fill the vacancy until an election can be regularly held.

30. IV.

In case the General Assembly shall establish other courts inferior to the Supreme Court, the presiding officers and clerks thereof shall be elected in such manner as the General Assembly may, from time to time, prescribe, and they shall hold their offices for a term not exceeding eight years.

32. IV.

Any clerk of the Supreme Court, or of the Superior Courts, or of such courts inferior to the Supreme Court as may be estab-

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lished by law, may be removed from office for mental or physical inability; the clerk of the Supreme Courts by the judges of said court, the clerks of the Superior Courts by the judge riding the district, and the clerks of such courts inferior to the Supreme Court as may be established by law, by the presiding officers of said courts. The clerk against whom proceedings are instituted shall receive notice thereof, accompanied by a copy of the cause alleged for his removal at least ten days before the day appointed to act thereon, and the clerk shall be entitled to an appeal to the next term of the Superior Court, and thence to the Supreme Court, as provided in other cases of appeals.

NORTH DAKOTA.**93. IV.**

There shall be a clerk and also a reporter of the Supreme Court, who shall be appointed by the judges thereof, and who shall hold their offices during the pleasure of said judges, and whose duties and emoluments shall be prescribed by law, and by rules of the Supreme Court not inconsistent with law. The Legislative Assembly shall make provisions for the publication and distribution of the decisions of the Supreme Court, and for the sale of the published volumes thereof.

OHIO.**16. IV.**

There shall be elected in each county by the electors thereof, one clerk of the Court of Common Pleas who shall hold his office for the term of three years, and until his successor shall be elected and qualified He shall, by virtue of

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his office, be clerk of all other courts of record held therein; but the General Assembly may provide, by law, for the election of a clerk, with a like term of office, for each or any other of the courts of record, and may authorize the judge of the Probate Court to perform the duties of clerk for his court, under such regulations as may be directed by law. Clerks of courts shall be removable for such cause and in such manner as shall be prescribed by law.

SOUTH CAROLINA.

27. IV.

There shall be elected in each county, by the electors thereof, one clerk for the Court of Common Pleas, who shall hold his office for the term of four years, and until his successor shall be elected and qualified. He shall, by virtue of his office, be clerk of all other courts of record held therein, but the General Assembly may provide by law for the election of a clerk, with a like term of office, for each or any other of the courts of record, and may authorize the judge of the Probate Court to perform the duties of clerk for his court, under such regulations as the General Assembly may direct. Clerks of courts shall be removable for such cause and in such manner as shall be prescribed by law.

SOUTH DAKOTA.

32. V.

There shall be a clerk of the Circuit court in each organized county who shall also be clerk of the County Court, and who shall be elected by the qualified electors of such county. The duties and compensation of said clerk shall be as provided by law and regu-

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lated by the rules of the court consistent with the provisions of law.

TEXAS.

9. V.

There shall be a clerk for the District Court of each county, who shall be elected by the qualified voters for the State and county officers and who shall hold his office for two years, subject to removal by information, or by indictment of a grand jury, and conviction by a petit jury. In case of vacancy the judge of the District Court shall have the power to appoint a clerk, who shall hold until the office can be filled by election.

WASHINGTON.

22. IV.

The judges of the Supreme Court shall appoint a clerk of that court, who shall be removable at their pleasure, but the Legislature may provide for the election of the clerk of the Supreme Court, and prescribe the term of his office. The clerk of the Supreme Court shall receive such compensation by salary only as shall be provided by law.

26. IV.

The county clerk shall be, by virtue of his office, clerk of the Superior Court.

WEST VIRGINIA.

18. VIII.

The voters of each county shall elect a clerk of the Circuit Court, whose term of office shall be six years; his duties and compensation and the manner of removing him from office shall be prescribed by law; and when a vacancy shall occur in the office, the Circuit Court, or the judge thereof in vacation, shall fill the same by appointment until the next general

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election. In any case in respect to which the clerk shall be so situated as to make it improper for him to act, the said court shall appoint a clerk to act therein. The clerks of said courts in office when this article takes effect shall remain therein for the term for which they were elected, unless sooner removed in the manner prescribed by law.

25. VIII.

All actions, suits and proceedings not embraced in the next preceding section, pending in a County Court when this article takes effect, together with the records and papers pertaining thereto, as well as all records and papers pertaining to such actions, suits and proceedings, as have already been disposed of by said courts, shall be transmitted to and filed with the clerk of the Circuit Court of the county, to which office all process outstanding at the time this article goes into operation shall be returned; and said clerk shall have the same power and shall perform the same duties in relation to such records, papers and proceedings as were vested in and required of the clerk of the County Court on the day before this article shall take effect. All such actions, suits and proceedings so pending, as aforesaid, shall be docketed, proceeded in, tried, heard and determined in all respects by the Circuit Court, as if such suits and proceedings had originated in said court.

26. VIII.

The voters of each county shall elect a clerk of the County Court, whose term of office shall be six years. His duties and compensation and the manner of his removal shall be prescribed by law. But the clerks

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of said courts now in office shall remain therein for the term for which they have been elected, unless sooner removed therefrom in the manner prescribed by law.

WISCONSIN.

12. VII.

There shall be a clerk of the Circuit Court chosen in each county organized for judicial purposes by the qualified electors thereof, who shall hold his office for two years, subject to removal as shall be provided by law. In case of a vacancy, the judge of the Circuit Court shall have the power to appoint a clerk, until the vacancy shall be filled by an election. The clerk thus elected or appointed shall give such security as the Legislature may require; and when elected, shall hold his office for a full term. The Supreme Court shall appoint its own clerk, and the clerk of a Circuit Court may be appointed clerk of the Supreme Court.

12. VII.

There shall be a clerk of the Circuit Court chosen in each county organized for judicial purposes by the qualified electors thereof, who shall hold his office for two years, subject to removal, as shall be provided by law. In case of a vacancy, the judge of the Circuit Court shall have power to appoint a clerk until the vacancy shall be filled by an election; the clerk thus elected or appointed shall give such security as the Legislature may require. The Supreme Court shall appoint its own clerk, and a clerk of the Circuit Court may be appointed a clerk of the Supreme Court.

Clerks of Courts.

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WYOMING.**9. V.**

There shall be a clerk of the Supreme Court, who shall be appointed by the justices of said court, and shall hold his office during their pleasure, and whose duties and emoluments shall be as provided by law.

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13. V.

There shall be a clerk of the District Court in each organized county in which a court is holden, who shall be elected, or, in case of vacancy, appointed in such manner and with such duties and compensation as may be prescribed by law.

Certain Judicial Officers Not to Receive Fees.

CERTAIN JUDICIAL OFFICERS NOT TO RECEIVE FEES.

1 Sec. 20. No judicial officer, except Justices of the
2 Peace, shall receive to his own use any fees or perquisites of
3 office; nor shall any judge of the Court of Appeals, or justice
4 of the Supreme Court, or any County Judge or Surrogate
5 hereafter elected in a county having a population exceeding
6 one hundred and twenty thousand, practice as an attorney or
7 counselor in any court of record in this State, or act as referee
8 The Legislature may impose a similar prohibition upon
9 County Judges and Surrogates in other counties. No one
10 shall be eligible to the office of Judge of the Court of Appeals,
11 justice of the Supreme Court, or, except in the county of
12 Hamilton, to the office of County Judge or Surrogate, who is
13 not an attorney and counselor of this State.

Certain Judicial Officers Not to Receive Fees.

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ALABAMA.**20. VIII.**

No judge of any court of record in this State shall practice law in any of the courts of this State or of the United States.

CALIFORNIA.**15. VI.**

No judicial officer, except justices of the peace and court commissioners, shall receive to his own use any fees or perquisites of office.

22. VI.

No judge of a court of record shall practice law in any court of this State during his continuance in office.

COLORADO.**18. VI.**

The judges of the Supreme and District Courts shall each receive such salary as may be provided by law, and no such judge shall receive any other compensation, perquisite or emolument for or on account of his office in any form whatever, nor act as attorney or counselor-at-law.

MARYLAND.**6. VI.**

All judges shall, by virtue of their offices be conservators of the peace throughout the State; and no fees or perquisites, commission or reward of any kind shall be allowed to any judge in this State, besides his annual salary, for the discharge of any judicial duty.

MONTANA.**30. VIII.**

No justice of the Supreme Court nor judge of the District Court shall accept or receive any compensation, fee, allowance, mileage, perquisite or emolument for or on account of his office in any form whatever, except the salary provided by law.

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31. VIII.

No justice or clerk of the Supreme Court, nor judge or clerk of any District Court, shall act or practice as an attorney or counselor-at-law in any court of this State during his continuance in office.

NEBRASKA.**14. VIII.**

No judge of the Supreme or District Court shall receive any other compensation, perquisite or benefits for or on account of his office in any form whatever, nor act as attorney or counselor-at-law, in any manner whatever, nor shall any salary be paid to any county judge.

NEVADA.**10. VI.**

No judicial officer, except justices of the peace and city recorders, shall receive to his own use any fees or perquisites of office.

WASHINGTON.**13. IV.**

No judicial officer, except court commissioners and unsalaried justices of the peace, shall receive to his own use any fees or perquisites of office. The judges of the Supreme Court and judges of the Superior Courts shall severally, at stated times, during their continuance in office, receive for their services the salaries prescribed by law therefor, which shall not be increased after their election, nor during the term for which they shall have been elected. The salaries of the judges of the Supreme Court shall be paid by the State. One-half of the salaries of each of the Superior Court judges shall be paid by the State, and the other one-half by the county or counties for which he is elected. In cases where a judge is

Certain Judicial Officers not to Receive Fees.

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provided for more than one county, that portion of his salary which is to be paid by the counties shall be apportioned between or among them according to the assessed value of determined by the assessment terminated by the assessment next preceding the time for which such salary is to be paid.

19. IV.

No judge of a court of record shall practice law in any court of this State during his continuance in office.

WYOMING.

2. XIV.

The Legislature shall provide by law the fees which may be demanded by justices of the peace and constables in precincts having less than fifteen hundred

Sec. Art.

population, and of court commissioners, boards of arbitration and notaries public, which fees the said officers shall accept as their full compensation. But all other State, county, city, town and school officers shall be required by law to keep a true and correct account of all fees collected by them, and to pay the same into the proper treasury when collected, and the officer whose duty it is to collect such fees shall be held responsible, under his bond, for neglect to collect the same: Provided, That in addition to the salary of sheriff they shall be entitled to receive from the party for whom the services are rendered in civil cases such fees as may be prescribed by law.

PUBLICATION OF STATUTES.

- 1 Sec. 21. The Legislature shall provide for the speedy
 2 publication of all statutes; and shall regulate the reporting of
 3 the decisions of the courts; but all laws and judicial decisions
 4 shall be free for publication by any person.

Sec. Art.

16. VI.

CALIFORNIA.

The Legislature shall provide for the speedy publication of such opinions of the Supreme Court as it may deem expedient, and all opinions shall be free for publication by any person.

8. XVI. COLORADO.

The General Assembly shall provide for the publication of the laws passed at each session thereof; and, until the year 1900, they shall cause to be published in Spanish and German a sufficient number of copies of said laws to supply that portion of the inhabitants of the State who speak those languages, and who may be unable to read and understand the English language.

6. XVI. FLORIDA.

The Legislature shall provide for the speedy publication and distribution of all laws it may enact. All decisions of the Supreme Court and all laws and judicial decisions shall be free for publication by any person. But no judgment of the Supreme Court shall take effect until the opinion of the court in such case shall be filed with the clerk of said court.

Sec. Art.

27. IV.

INDIANA.

Every statute shall be a public law, unless otherwise declared in the statute itself.

6. VII.

The General Assembly shall provide by law for the speedy publication of the decisions of the Supreme Court made under this Constitution, but no judge shall be allowed to report such decision.

KANSAS.

19. II.

The Legislature shall prescribe the time when its acts shall be in force, and shall provide for the speedy publication of the same; and no law of a general nature shall be in force until the same be published. It shall have the power to provide for the election or appointment of all officers, and the filling of all vacancies not otherwise provided for in this Constitution.

LOUISIANA.

Art. 154. The laws, public records and the judicial and legislative written proceedings of the State shall be promulgated, preserved and conducted in the English language, but the General Assembly may provide for the publication of the laws in the

Publication of Statutes.

Sec. Art.

French language, and prescribe that judicial advertisements in certain designated cities and parishes shall also be made in that language.

MARYLAND.

16. IV.

Provision shall be made by law for publishing reports of all causes argued and determined in the Court of Appeals which the judges shall designate as proper for publication.

MICHIGAN.

36. IV.

The Legislature shall provide for the speedy publication of all the statute laws of a public nature, and of such judicial decisions as it may deem expedient. All laws and judicial decisions shall be free for publication by any person.

MISSOURI.

44. VI.

All judicial decisions in this State shall be free for publication by any person.

MONTANA.

32. VIII.

The Legislative Assembly may provide for the publication of decisions and opinions of the Supreme Court.

NEVADA.

8. XV.

The Legislature shall provide for the speedy publication of all statute laws of a general nature, and such decisions of the Supreme Court as it may deem expedient; and all laws and judicial decisions shall be free for publication by any person: Provided, That no judgment of the Supreme Court shall take effect and be operative until the opinion of the court in such case

Sec. Art.

shall be filed with the clerk of said court.

NORTH DAKOTA.

102. IV.

It shall be the duty of the court to prepare a syllabus of the points adjudicated in each case, which shall be concurred in by a majority of the judges thereof, and it shall be prefixed to the published reports of the case.

SOUTH CAROLINA.

32. IV.

The General Assembly shall provide by law for the speedy publication of the decisions of the Supreme Court made under this Constitution.

TEXAS.

43. III.

The first session of the Legislature under this Constitution shall provide for revising, digesting and publishing the laws, civil and criminal; and a like revision, digest and publication may be made every ten years thereafter: Provided, That in the adoption of and giving effect to any digest or revision, the Legislature shall not be limited by sections 35 and 36 of this article.

WASHINGTON.

21. IV.

The Legislature shall provide for the speedy publication of opinions of the Supreme Court, and all opinions shall be free for publication by any person.

WISCONSIN.

21. VII.

The Legislature shall provide by law for the speedy publication of all statute laws, and of such judicial decisions made within the State as may be deemed expedient. And no general law shall be in force until published.

Local Judicial Officers.

LOCAL JUDICIAL OFFICERS.

1 Sec. 22. Justices of the Peace and other local , judicial
2 officers provided for in section seventeen and eighteen, in
3 office when this article takes effect, shall hold their offices until
4 the expiration of their respective terms.

COURTS OF SPECIAL SESSIONS.

1 Sec. 23. Courts of Special Sessions shall have such
2 jurisdiction of offenses of the grade of misdemeanors as may
3 be prescribed by law.

General Provisions.

GENERAL PROVISIONS.

Style of Process.

Sec. Art.

ALABAMA.**28. VI.**

The style of all process shall be "The State of Alabama," and all prosecutions shall be carried on in the name and by the authority of the same, and shall conclude, "against the peace and dignity of the State."

ARKANSAS.**49. VII.**

All writs and other judicial process shall run in the name of the State of Arkansas, bear test and be signed by the clerks of the respective courts from which they issue. Indictments shall conclude: "Against the peace and dignity of the State of Arkansas."

CALIFORNIA.**20. VI.**

The style of all process shall be "The People of the State of California," and all prosecutions shall be conducted in their name and by their authority.

COLORADO.**30. VI.**

All process shall run in the name of "The People of the State of Colorado;" all prosecutions shall be carried on in the name and by the authority of "The People of the State of Colorado," and conclude, "against the peace and dignity of the same."

DELAWARE.**25. VI.**

The style in all process and public acts shall be "The State of Delaware." Prosecutions shall be carried on in the name of the State.

Sec. Art.

FLORIDA.**37. V.**

The style of all process shall be "The State of Florida," and all prosecutions shall be conducted in the name and by the authority of the State.

ILLINOIS.**33. VI.**

All process shall run: In the name of the people of the State of Illinois; and all prosecutions shall be carried on in the name and by the authority of the people of the State of Illinois; and conclude: Against the peace and dignity of the same. "Population," whenever used in this article, shall be determined by the next preceding census of this State, or of the United States.

INDIANA.**18. VII.**

All criminal prosecutions shall be carried on in the name, and by the authority of the State; and the style of all processes shall be, "The State of Indiana."

IOWA.**8. V.**

The style of all process shall be "The State of Iowa," and all prosecutions shall be conducted in the name and by the authority of the same.

KANSAS.**17. III.**

The style of all process shall be "The State of Kansas," and all prosecutions shall be carried on in the name of the State.

KENTUCKY.**123.**

The style of all process shall be

General Provisions.

Sec. Art.

"The Commonwealth of Kentucky." All prosecutions shall be carried on in the name and by the authority of the "Commonwealth of Kentucky," and conclude, "against the peace and dignity of the same."

LOUISIANA.

Art. 88. All judges, by virtue of their office, shall be conservators of the peace throughout the State. The style of all process shall be: "The State of Louisiana." All prosecutions shall be carried on in the name and by the authority of the State of Louisiana, and conclude: "Against the peace and dignity of the same."

MARYLAND.

13. IV.

All public commissions and grants shall run thus: "The State of Maryland," etc., and shall be signed by the Governor, with the seal of the State annexed; all writs and process shall run in the same style, and be tested, sealed and signed, as heretofore, or as may hereafter be, provided by law; and all indictments shall conclude, "against the peace, government and dignity of the State."

MICHIGAN.

35. VI.

The style of all process shall be: "In the name of the People of the State of Michigan."

MINNESOTA.

14. VI.

Legal pleadings and proceedings in the courts of this State shall be under the direction of the Legislature. The style of all process shall be: "The State of Minnesota," and all indictments shall conclude, "against the peace and dignity of the State of Minnesota."

Sec. Art.

MISSISSIPPI.

169. VI.

The style of all process shall be: "The State of Mississippi," and all prosecutions shall be carried on in the name and by authority of the "State of Mississippi," and all indictments shall conclude, "against the peace and dignity of the State."

MISSOURI.

38. VI.

All writs and process shall run and all prosecutions shall be conducted in the name of the "State of Missouri;" all writs shall be attested by the clerk of the court from which they shall be issued; and all indictments shall conclude, "against the peace and dignity of the State."

MONTANA.

27. VIII.

The style of all process shall be: "The State of Montana," and all prosecutions shall be conducted in the name and by the authority of the same.

NEBRASKA.

24. VI.

All process shall run in the name of "The State of Nebraska," and all prosecutions shall be carried on in the name of "The State of Nebraska."

NEVADA.

13. VI.

The style of process shall be: "The State of Nevada," and all prosecutions shall be conducted in the name and by the authority of the same.

97. IV.

NORTH DAKOTA.

The style of all process shall be "The State of North Dakota." All prosecutions shall be carried on in the name and by the authority of the State of North

General Provisions.

Sec. Art.

Dakota, and conclude, "against the peace and dignity of the State of North Dakota."

OHIO.

20. IV.

The style of all process shall be "The State of Ohio;" all prosecutions shall be carried on in the name and by the authority of the State of Ohio; and all indictments shall conclude, "against the peace and dignity of the State of Ohio."

PENNSYLVANIA.

23. V.

The style of all process shall be "The Commonwealth of Pennsylvania." All prosecutions shall be carried on in the name and by the authority of the Commonwealth of Pennsylvania, and conclude, "against the peace and dignity of the same."

SOUTH CAROLINA.

31. IV.

All writs and processes shall run and all prosecutions shall be conducted in the name of the State of South Carolina; all writs shall be attested by the clerk of the court from which they shall be issued; and all indictments shall conclude, "against the peace and dignity of the State."

SOUTH DAKOTA.

38. V.

All process shall run in the name of the "State of South Dakota." All prosecutions shall be carried on in the name of and by authority of the "State of South Dakota."

TENNESSEE.

12. VI.

All writs and other process shall run in the name of the State of Tennessee, and bear test and be signed by the respective

Sec Art.

clerks. Indictments shall conclude, "against the peace and dignity of the State."

TEXAS.

12. V.

All judges of courts of this State (shall) by virtue of their office, be conservators of the peace throughout the State. The style of all writs and process shall be, "The State of Texas." All prosecutions shall be carried on in the name and by authority of the State of Texas, and shall conclude, "against the peace and dignity of the State."

VIRGINIA.

26. VI.

Writs shall run "in the name of the Commonwealth of Virginia," and be attested by the clerks of the several courts. Indictments shall conclude, "against the peace and dignity of the Commonwealth."

27. IV.

WASHINGTON.

The style of all process shall be "The State of Washington," and all prosecutions shall be conducted in its name and by its authority.

WEST VIRGINIA.

8. II.

Writs, grants and commissions issued under the authority of this State shall run in the name of, and official bonds shall be made payable to, the State of West Virginia. Indictments shall conclude, "against the peace and dignity of the State."

WISCONSIN.

17. VII.

The style of all writs and process shall be, "The State of Wisconsin." All criminal prosecutions shall be carried on in the name and by the authority of the same; and all indictments shall

General Provisions.

Sec. Art.

conclude, "against the peace and dignity of the State."

WYOMING.

15. V.

The style of all process shall be "The State of Wyoming." All

Sec. Art.

prosecutions shall be carried on in the name and by the authority of the State of Wyoming, and conclude, "against the peace and dignity of the State of Wyoming."

*Judicial Powers, how Vested.***ALABAMA.**

1. VI.

The judicial power of the State shall be vested in the Senate, sitting as a court of impeachment, a Supreme Court, Circuit Courts, Chancery Court, Courts of Probate, such inferior courts of law and equity, to consist of not more than five members, as the General Assembly may from time to time establish, and such persons as may be by law invested with powers of a judicial nature.

ARKANSAS.

1. VII.

The judicial power of the State shall be vested in one Supreme Court, in Circuit Courts, in County and Probate Courts, and in justices of the peace. The General Assembly may also vest such jurisdiction as may be deemed necessary in municipal corporation courts, Courts of Common Pleas, where established, and when deemed expedient, may establish separate Courts of Chancery.

1. VI.

CALIFORNIA.

The judicial power of the State shall be vested in the Senate sitting as a court of impeachment, in a Supreme Court, Superior Courts, justices of the peace, and such inferior courts as the Legislature may establish in any incorporated city, or town, or city and county.

1. VI.

COLORADO.

The judicial powers of the State,

as to matters of law and equity, except as in this Constitution otherwise provided, shall be vested in a Supreme Court, District Courts, County Courts, justices of the peace, and such other courts as may be created by law for cities and incorporated towns.

CONNECTICUT.

1. V.

The judicial power of the State shall be vested in a Supreme Court of Errors, a Superior Court and such inferior courts as the General Assembly shall, from time to time, ordain and establish; the powers and jurisdiction of which courts shall be defined by law.

DELAWARE.

1. VI.

The judicial power of this State shall be vested in a Court of Errors and Appeals, a Superior Court, a Court of Chancery, an Orphans' Court, a Court of Oyer and Terminer, a Court of General Sessions of the Peace and Jail Delivery, a Register's Court, justices of the peace, and such other courts as the General Assembly, with the concurrence of two-thirds of all the members of both houses, shall from time to time establish.

FLORIDA.

1. V.

The judicial power of the State shall be vested in a Supreme Court, Circuit Courts, Criminal Courts, County Courts, county

General Provisions.

Sec. Art.

judges, and justices of the peace.

GEORGIA.

1. VI.

The judicial powers of this State shall be vested in a Supreme Court, Superior Courts, Courts of Ordinary, justice of the peace, commissioned notaries public, and other courts, as have been or may be established by law.

IDAHO.

2. V.

The judicial power of the State shall be vested in a court for the trial of impeachments, a Supreme Court, District Courts, Probate Courts, courts of justices of the peace, and such other courts inferior to the Supreme Court as may be established by law for any incorporated city or town.

INDIANA.

1. VII.

The judicial power of the State shall be vested in a Supreme Court, in Circuit Courts, and in such other courts as the General Assembly may establish.

IOWA.

1. V.

The judicial power shall be vested in a Supreme Court, District Court and such other courts, inferior to the Supreme Court as the General Assembly may, from time to time, establish.

KANSAS.

1. III.

The judicial power of this State shall be vested in a Supreme Court, District Courts, Probate Courts, justices of the peace, and such other courts, inferior to the Supreme Court, as may be provided by law; and all courts of record shall have a seal to

Sec. Art.

be used in the authentication of all process.

LOUISIANA.

80.

The judicial power shall be vested in a Supreme Court, in Courts of Appeal, in District Courts and in justices of the peace.

MAINE.

1. VI.

The judicial power of this State shall be vested in a Supreme Judicial Court, and such other courts as the Legislature shall, from time to time, establish.

MARYLAND.

1. IV.

The judicial power of this State shall be vested in a Court of Appeals, Circuit Courts, Orphans' Courts, such courts for the city of Baltimore as are hereinafter provided for, and justices of the peace; all said courts shall be courts of record, and each shall have a seal to be used in the authentication of all process issuing therefrom. The process and official character of justices of the peace shall be authenticated as hath heretofore been practiced in this State, or may hereafter be prescribed by law.

MICHIGAN.

1. VI.

The judicial power is vested in one Supreme Court, in Circuit Courts, in Probate Courts, and in justices of the peace; municipal courts of civil and criminal jurisdiction may be established by the Legislature in cities.

MINNESOTA.

1. VI.

The judicial power of the State shall be vested in a Supreme Court, District Courts, Courts of Probate, justices of the peace,

General Provisions.

Sec. Art.

and such other courts, inferior to the Supreme Court, as the Legislature may from time to time establish by a two-thirds vote.

MISSISSIPPI.

144. VI.

The judicial power of the State shall be vested in a Supreme Court and such other courts as are provided for in this Constitution.

MISSOURI.

1. VI.

The judicial power of the State as to matters of law and equity, except as in this Constitution otherwise provided, shall be vested in a Supreme Court, the St. Louis Court of Appeals, Circuit Courts, Criminal Courts, Probate Courts, County Courts, and Municipal Corporation Courts.

MONTANA.

1. VIII.

The judicial power of the State shall be vested in the Senate sitting as a court of impeachment, in a Supreme Court, District Courts, justices of the peace, and such other inferior courts as the Legislative Assembly may establish in any incorporated city or town.

NEBRASKA.

1. VI.

The judicial power of this State shall be vested in the Supreme Court, District Courts, County Courts, justices of the peace, police magistrates, and in such other courts inferior to the District Courts as may be created by law for cities and incorporated towns.

NEVADA.

1. VI.

The judicial power of this State shall be vested in a Supreme Court, District Courts, and in

Sec. Art.

justices of the peace. The Legislature may also establish courts for municipal purposes only, in incorporated cities and towns.

NEW HAMPSHIRE.

73.

The tenure that all commissioned officers shall have by law in their office shall be expressed in their respective commissions. All judicial officers, duly appointed, commissioned, and sworn, shall hold their offices during good behavior, excepting those concerning whom there is a different provision made in this Constitution: Provided, nevertheless, the Governor, with consent of council, may remove them upon the address of both houses of the Legislature.

NORTH CAROLINA.

2. IV.

The judicial power of the State shall be vested in a court for the trial of impeachments, a Supreme Court, Superior Courts, Courts of Justices of the Peace, and such other courts inferior to the Supreme Court as may be established by law.

NORTH DAKOTA.

85. IV.

The judicial power of the State of North Dakota shall be vested in a Supreme Court, District Courts, County Courts, justices of the peace, and in such other courts as may be created by law for cities, incorporated towns and villages.

OHIO.

1. IV.

The judicial power of the State is vested in a Supreme Court, Circuit Courts, Courts of Common Pleas, Courts of Probate, justices of the peace, and such

General Provisions.

Sec. Art.

other courts inferior to the Supreme Court, as the General Assembly may, from time to time, establish.

OREGON.**1. VII.**

The judicial power of the State shall be vested in a Supreme Court, Circuit Courts, and County Courts, which shall be courts of record, having general jurisdiction, to be defined, limited, and regulated by law in accordance with this Constitution. Justices of the peace may also be invested with limited judicial powers; and Municipal Courts may be created to administer the regulations of incorporated towns and cities.

PENNSYLVANIA.**1. V.**

The judicial power of this Commonwealth shall be vested in a Supreme Court, in Courts of Common Pleas, Courts of Oyer and Terminer and General Jail Delivery, Courts of Quarter Sessions of the Peace, Orphans' Courts, Magistrates' Courts, and in such other courts as the General Assembly may from time to time establish.

RHODE ISLAND.**1. X.**

The judicial power of this State shall be vested in one Supreme Court, and in such inferior courts as the General Assembly may, from time to time, ordain and establish.

SOUTH CAROLINA.**1. IV.**

The judicial power of this State shall be vested in a Supreme Court, in two Circuit Courts, to wit: A Court of Common Pleas, having civil jurisdiction, and a Court of General Sessions, with criminal jurisdiction only; in

Sec. Art.

probate courts and in justices of the peace. The General Assembly may also establish such municipal and other inferior courts as may be deemed necessary.

SOUTH DAKOTA.**1. V.**

The judicial powers of the State, except as in this Constitution otherwise provided, shall be vested in a Supreme Court, Circuit Courts, County Courts and justices of the peace, and such other courts as may be created by law for cities and incorporated towns.

TENNESSEE.**1. VI.**

The judicial power of the State shall be vested in one Supreme Court, and in such Circuit, Chancery and other inferior courts as the Legislature shall, from time to time, ordain and establish, in the judges thereof, and in justices of the peace. The Legislature may also vest such jurisdiction in Corporation Courts as may be deemed necessary; courts to be holden by justices of the peace may also be established.

TEXAS.**1. V.**

The judicial power of this State shall be vested in one Supreme Court, in Courts of Civil Appeals, in a Court of Criminal Appeals, in District Courts, in County Courts, in Commissioners' Courts, in courts of justices of the peace, and in such other courts as may be provided by law. The Criminal District Court of Galveston and Harris counties shall continue with the district, jurisdiction and organization now existing by law until otherwise provided by law. The Legislature may

General Provisions.

Sec. Art.

establish such other courts as it may deem necessary, and prescribe the jurisdiction and organization thereof, and may conform the jurisdiction of the district and other inferior courts thereto.

VIRGINIA.**1. VI.**

There shall be a Supreme Court of Appeals, Circuit Courts and County Courts. The jurisdiction of these tribunals, and the judges thereof, except so far as the same is conferred by this Constitution, shall be regulated by law.

WEST VIRGINIA.**1. VIII.**

The judicial power of the State shall be vested in a Supreme Court of Appeals, in Circuit Courts and the judges thereof, in such inferior tribunals as are herein authorized and in justices of the peace.

27. VIII.

Each county shall be laid off into districts, not less than three nor more than ten in number, and as nearly equal as may be in territory and population. There shall be elected in each district containing a population not exceeding twelve hundred, one justice of the peace, and if the population exceeds that number, two such justices shall be elected therein. Every justice shall reside in the district for

Sec. Ar'.

which he was elected and hold his office for the term of four years, unless sooner removed in the manner prescribed by law. The districts as they now exist shall remain till changed by the County Court.

WISCONSIN.**2. VII.**

The judicial power of this State, both as to matters of law and equity, shall be vested in a Supreme Court, Circuit Courts, Courts of Probate, and in justices of the peace. The Legislature may also vest such jurisdiction as shall be deemed necessary in Municipal Courts, and shall have power to establish inferior courts in the several counties, with limited civil and criminal jurisdiction: Provided, That the jurisdiction which may be vested in Municipal Courts shall not exceed, in their respective municipalities that of Circuit Courts in their respective circuits, as prescribed in this Constitution; and that the Legislature shall provide as well for the election of judges of the Municipal Courts as of the judges of inferior courts by the qualified electors of the respective jurisdictions. The term of office of the judges of the said municipal and inferior courts shall not be longer than that of the judges of the Circuit Courts.

*Chancery Court.***ALABAMA.****7. VI.**

The General Assembly shall have power to establish a court or courts of chancery, with original and appellate jurisdiction. The State shall be divided by the General Assembly into convenient chancery divisions, not exceeding three in number, un-

less an increase shall be made by a vote of two-thirds of each house of the General Assembly taken by ayes and nays and entered upon the journals; and the division shall be divided into districts, and for each division there shall be a chancellor, who shall, at the time of his election or appointment, and

General Provisions.

Sec. Art.

during his continuance in office, reside in the division for which he shall have been elected or appointed.

8. VI.

A chancery court shall be held in each district, at a place to be fixed by law, at least once in each year, and the chancellors may hold courts for each other, when they deem it necessary.

18. VI.

If in any case, civil or criminal, pending in any circuit, chancery or city court in this State, the presiding judge or chancellor shall, for any legal cause be incompetent to try, hear or render judgment in such cause, the parties or their attorneys of record, if it be a civil case, or the solicitor or other prosecuting officer, and the defendant or defendants, if it be a criminal case, may agree upon some disinterested person, practicing in the court and learned in the law, to act as special judge or chancellor, to sit as a court to hear, decide and render judgment in the same manner and to the same effect as a judge of the circuit or city court, or chancellor, sitting as a court might do in such case. If the case be a civil one and the parties, or their attorneys of record do not agree, or if the case be a criminal one and the prosecuting officer and the defendant or defendants do not agree upon a special judge or chancellor, or if either party in a special cause is not represented in court, the clerk of the circuit or city court, or register in chancery of the court in which said cause is pending, shall appoint the special judge or chancellor, who shall preside, try and render judgments as in this section provided.

Sec. Art.

21. VI.

Registers in chancery shall be appointed by the chancellors of the divisions, and shall hold office during the term of the chancellor making such appointment; and such registers shall receive as compensation for their services only such fees and commissions as may be specifically prescribed by law.

ARKANSAS.

15. VII.

Until the General Assembly shall deem it expedient to establish Courts of Chancery Circuit Courts shall have jurisdiction in matters of equity, subject to appeal to the Supreme Court, in such manner as may be prescribed by law.

44. VII.

The Pulaski Chancery Court shall continue in existence until abolished by law, or the business pending at the adoption of this Constitution shall be disposed of, or the pending business be transferred to other courts. The judge and clerk of said court shall hold office for the term of two years, and shall be elected by the qualified voters of the State. All suits and proceedings which relate to sixteenth-section lands or to money due for said lands shall be transferred to the respective counties where such lands are located in such manner as shall be provided by the General Assembly at the next session.

DELAWARE.

18. VI.

By the death of any party, no suit in chancery or at law, where the cause of action survives, shall abate, but until the Legislature shall otherwise provide, suggestion of such death being entered of record, the ex-

General Provisions.

Sec. Art.

ecutor or administrator of a deceased petitioner or plaintiff may prosecute the said suit; and if a respondent or defendant dies, the executor or administrator being duly served with a *scire facias*, thirty days before the return thereof, shall be considered as a party to the suit, in the same manner as if he had voluntarily made himself a party; and in any of those cases, the court shall pass a decree or render judgment for or against the executors or administrators, as to right appertains. But where an executor or administrator of a deceased respondent or defendant becomes a party, the court, upon motion, shall grant such a continuance of the cause as to the judges shall appear proper.

MICHIGAN.**23.**

The cases pending and undisposed of in the late Court of Chancery at the time of the adoption of this Constitution, shall continue to be heard and determined by the judges of the Supreme Court. But the Legislature shall, at its session in one thousand eight hundred and fifty-one, provide by law for the transfer of said causes that may remain undisposed of on the first day of January, one thousand eight hundred and fifty-two, to the Supreme or Circuit Court established by this Constitution, or require that the same may be heard and determined by the circuit judges.

MISSISSIPPI.**147. VI.**

No judgment or decree in any Chancery or Circuit Court rendered in a civil cause, shall be reversed or annulled on the ground of want of jurisdiction

Sec. Art.

to render said judgment or decree, from any error or mistake as to whether the cause in which it was rendered was of equity or common-law jurisdiction; but if the Supreme Court shall find error in the proceedings other than as to jurisdiction, and it shall be necessary to remand the case, the Supreme Court may remand it to that court which in its opinion can best determine the controversy.

159. VI.

The Chancery Courts shall have full jurisdiction in the following matters and cases, viz.:

- (a) All matters in equity.
- (b) Divorce and alimony.
- (c) Matters testamentary and of administration.
- (d) Minor's business.
- (e) Cases of idocy, lunacy and persons of unsound mind.
- (f) All cases of which the said court had jurisdiction under the laws in force when this Constitution is put in operation.

160. VI.

And in addition to the jurisdiction heretofore exercised by the Chancery Court in suits to try title and to cancel deeds and other clouds upon title to real estate, it shall have jurisdiction in such cases to decree possession, and to displace possession, to decree rents and compensation for improvements and taxes; and in all cases where said court heretofore exercised jurisdiction, auxiliary to courts of common law, it may exercise such jurisdiction to grant the relief sought although the legal remedy may not have been exhausted or the legal title established by a suit at law.

161. VI.

And the Chancery Court shall have jurisdiction, concurrent with the Circuit Court, of suits

General Provisions.

Sec. Art.

on bonds of fiduciaries and public officers for failure to account for money or property received or wasted or lost by neglect or failure to collect, and of suits involving inquiry into matters of mutual accounts; but if the plaintiff brings his suit in the Circuit Court, that court may, on application of the defendant, transfer the cause to the Chancery Court if it appears that the accounts to be investigated are mutual and complicated.

162. VI.

All causes that may be brought in the Chancery Court whereof

Sec. Art

the Circuit Court has exclusive jurisdiction shall be transferred to the Circuit Court.

164. VI.

A Chancery Court shall be held in each county at least twice in each year.

RHODE ISLAND.

2. X.

The several courts shall have such jurisdiction as may from time to time be prescribed by law. Chancery powers may be conferred on the Supreme Court, but on no other court to any greater extent than is now provided by law.

Court Commissioner.

FLORIDA.

14. V.

A Circuit Judge may appoint in each county in his circuit one or more attorneys at law, to be Court Commissioners, who shall have power, in the absence from the county of the Circuit Judge, to allow writs of injunction and to issue writs of habeas corpus, returnable before himself or the Circuit Judge. Their orders in such matters may be reviewed by the Circuit Judge, and be confirmed, qualified or vacated. They may be removed by the Circuit Judge. The Legislature may confer upon them further powers, not judicial, and shall fix their compensation.

INDIANA.

20.

The General Assembly, at its first session after the adoption of this Constitution, shall provide for the appointment of three commissioners, whose duty it shall be to revise, simplify and abridge the rules, practice, pleadings and forms of the courts of justice. And

they shall provide for abolishing the distinct forms of action at law now in use; and that justice shall be administered in a uniform mode of pleading, without distinction between law and equity. And the General Assembly may, also, make it the duty of said commissioners to reduce into a systematic code the general statute law of the State; and said commissioners shall report the result of their labors to the General Assembly, with such recommendations and suggestions, as to the abridgment and amendment, as to said commissioners may seem necessary and proper. Provision shall be made by law for filling vacancies, regulating the tenure of office and the compensation of said commissioners.

MINNESOTA.

15. VI.

The Legislature may provide for the election of one person in each organized county in this State, to be called a Court Commissioner, with judicial power and jurisdiction not exceeding the power and juris-

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diction of a judge of the District Court at chambers; or the Legislature may, instead of such election, confer such power and jurisdiction upon the judges of probate in the State.

OHIO.

21. IV.

A commission, which shall consist of five members, shall be appointed by the Governor, with the advice and consent of the Senate, the members of which shall hold office for the term of three years from and after the first day of February, 1876, to dispose of such part of the business then on the dockets of the Supreme Court as shall, by arrangement between said commission and said court, be transferred to such commission; and said commission shall have like jurisdiction and power in respect to such business as are or may be vested in said court; and the members of said commission shall receive a like compensation for the time being with the judges of the said court. A majority of the members of said commission shall be necessary to form a quorum or pronounce a decision, and its decision shall be certified, entered and enforced as the judgments of the Supreme Court, and at the expiration of said commission all business undisposed of shall by it be certified to the Supreme Court, and disposed of as if said commission had never existed. The clerk and reporter of said court shall be the clerk and reporter of said commission, and the commission shall have such other attendants, not exceeding in number those provided by law for said court, which attendants said commission may appoint and remove at its pleas-

Sec. Art.

ure. Any vacancy occurring in said commission shall be filled by appointment of the Governor, with the advice and consent of the Senate, if the Senate be in session; and if the Senate be not in session, by the Governor; but in such last case, such appointment shall expire at the end of the next session of the General Assembly. The General Assembly may, on application of the Supreme Court, duly entered on the journal of the court and certified, provide by law, whenever two-thirds of each house shall concur therein, from time to time, for the appointment in like manner of a like commission, with like powers, jurisdiction and duties: Provided, That the term of any such commission shall not exceed two years, nor shall it be created oftener than once in ten years.

2. XIV.

The said commissioners shall revise, reform, simplify and abridge the practice, pleadings, forms and proceedings of the courts of record of this State; and, as far as practicable and expedient, shall provide for the abolition of the distinct forms of actions at law now in use, and for the administration of justice by a uniform mode of proceeding without reference to any distinction between law and equity.

WEST VIRGINIA.

23. VIII.

The commissioners shall be elected by the voters of the county, and hold their office for the term of six years, except that at the first meeting of said commissioners they shall designate, by lot, or otherwise, in such manner as they may determine,

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one of their number, who shall hold his office for the term of two years, one for four years, and one for six years, so that one shall be elected every two years. But no two of said commissioners shall be elected from the same magisterial district. And if two or more persons residing in the same district shall receive the greater number of votes cast at any election, then only the one of such persons receiving the highest number shall be declared elected, and the person living in another district, who shall receive the next highest number of votes shall be declared elected. Said commissioners shall annually elect one of their number as president, and each shall receive two dollars per day for his services in court, to be paid out of the county treasury.

30. VIII.

The office of commissioner and

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justice of the peace shall be deemed incompatible. Vacancies in the office of commissioner, clerk of the County Court and justices of the peace shall be filled by the County Court of the county until the next general election.

WISCONSIN.

22. VI.

The Legislature, at its first session after the adoption of this Constitution, shall provide for the appointment of three commissioners, whose duty it shall be to inquire into, revise and simplify the rules of practice, pleadings, forms and proceedings, and arrange a system adapted to the courts of record of this State, and report the same to the Legislature, subject to their modification and adoption; and such commission shall terminate upon the rendering of the report, unless otherwise provided by law.

Laws Relating to Courts to be Uniform.

COLORADO.

28. VI.

All laws relating to courts shall be general and of uniform operation throughout the State; and the organization, jurisdiction, powers, proceedings and practice of all the courts of the same class or grade, so far as regulated by law, and the force and effect of the proceedings, judgments and decrees of such courts severally, shall be uniform.

GEORGIA.

9. VI.

Par. I. The jurisdiction, powers, proceedings and practice of all courts or officers invested with judicial powers (except city courts), of the same grade or class, so far as regulated by

law, and the force and effect of the process, judgment and decree, by such courts, severally, shall be uniform. This uniformity must be established by the General Assembly.

IDAHO.

26. V.

All laws relating to courts shall be general and of uniform operation throughout the State, and the organized judicial powers, proceedings and practices of all the courts of the same class or grade, so far as regulated by law, and the force and effect of the proceedings, judgments and decrees of such courts, severally, shall be uniform.

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ILLINOIS.**29. VI.**

All judicial officers shall be commissioned by the Governor. All laws relating to courts shall be general and of uniform operation; and the organization, jurisdiction, powers, proceedings and practice in all courts of the same class or grade, so far as regulated by law, and the force and effect of the process, judgments and decrees of such courts, severally, shall be uniform.

MONTANA.**26. VIII.**

All laws relating to courts shall be general and of uniform operation throughout the State; and the organization, jurisdiction, powers, proceedings and practices of all courts of the same class or grade, so far as regulated by law, shall be uniform.

NEBRASKA.**19. VI.**

All laws relating to courts shall be general and of uniform operation, and the organization, jurisdiction, powers, proceedings and practices of all courts of the same class or grade, so far as regulated by law, and the force and effect of the proceedings, judgments and decrees of such courts, severally, shall be uniform.

DELAWARE.**19. VI.**

Whenever a person, not being an executor or administrator, appeals from a decree of the chancellor, or applies for a writ of error, such appeal or writ shall be no stay of proceeding in the chancery, or the court to which the writ issues, unless the appellant or plaintiff in error shall give sufficient secur-

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PENNSYLVANIA.**26. V.**

All laws relating to courts shall be general and of uniform operation, and the organization, jurisdiction and powers of all courts of the same class or grade, so far as regulated by law, and the force and effect of the process and judgments of such courts shall be uniform; and the General Assembly is hereby prohibited from creating other courts to exercise the powers vested by this Constitution in the judges of the courts of Common Pleas and Orphans' Courts.

SOUTH DAKOTA.**34. V.**

All laws relating to courts shall be general and of uniform operation throughout the State, and the organization, jurisdiction, power, proceedings and practice of all the courts of the same class or grade, so far as regulated by law, and the force and effect of the proceedings, judgments and decrees of such courts, severally, shall be uniform: Provided, however, That the Legislature may classify the County Courts according to the population of the respective counties and fix the jurisdiction and salary of the judges thereof accordingly.

Writs of Error.

ity, to be approved respectively by the chancellor, or by a judge of the court from which the writ issues, that the appellant or plaintiff in error shall prosecute respectively his appeal or writ to effect, and pay the condemnation money and all costs or otherwise abide the decree in appeal or the judgment in error, if he fail to make his plea good.

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20. VI.

No writ of error shall be brought upon any judgment heretofore confessed, entered or rendered, but within five years from this time; nor upon any judgment hereafter to be confessed, entered or rendered, but within five years after the confessing, entering or rendering thereof; unless the person entitled to such writ be an infant, femme couverte, non compos mentis, or a prisoner, and then within five years exclusive of the time of such disability.

ILLINOIS.**8. VI.**

Appeals and writs of error may be taken to the Supreme Court held in the grand division in which the case is decided, or, by consent of the parties, to any other grand division.

19. VI.

Appeals and writs of error shall be allowed from final determinations of County Courts, as may be provided by law.

KENTUCKY.**127.**

The right of appeal or sue out a

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writ of error shall remain as it now exists until altered by law, hereby giving to the General Assembly the power to change or modify said right.

MISSOURI.**20. VI.**

All cases coming to said court by appeal or writ of error shall be triable at the expiration of fifteen days from the filing of the transcript in the office of the clerk of said court.

SOUTH DAKOTA.**18. V.**

Writs of error and appeals may be allowed from the decisions of the Circuit Courts to the Supreme Courts, under such regulations as may be prescribed by law.

WYOMING.**18. V.**

Writs of error and appeals may be allowed from the decisions of the District Courts to the Supreme Courts, under such regulations as may be prescribed by law.

*Residence of Judges.***CALIFORNIA.****9. VI.**

The Legislature shall have no power to grant leave of absence to any judicial officer; and any such officer who shall absent himself from the State for more than sixty consecutive days shall be deemed to have forfeited his office. The Legislature of the State, may at any time, two-thirds of the members of the Senate and two-thirds of the members of the Assembly voting therefor, increase or diminish the number of judges of the Superior Court in any county, or city and county, in

the State; provided, that no such reduction shall affect any judge who has been elected.

COLORADO.**29. VI.**

All officers provided for in this article, excepting judges of the Supreme Court, shall respectively reside in the district, county, precinct, city or town for which they may be elected or appointed. Vacancies in elective offices shall be filled by election, but when the unexpired term does not exceed one year, the vacancy shall be filled by appointment, as follows: Of judges of

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the Supreme and District Courts, by the Governor; of district attorneys, by the judge of the court of which the office appertains, and of all other judicial officers by the board of county commissioners of the county where the vacancy occurs.

22. VI.

MICHIGAN.

Whenever a judge shall remove beyond the limits of the jurisdiction for which he was elected, or a justice of the peace from the township in which he was elected, or by a change in the boundaries of such township shall be placed without the same, they shall be deemed to have vacated their respective offices.

33. VIII.

MONTANA.

All officers provided for in this article, excepting justices of the Supreme Court, who shall reside within the State, shall respectively reside during their term of office in the district, county, township, precinct, city or town for which they may be elected or appointed.

37. VIII.

Any judicial officer who shall absent himself from the State for more than sixty consecutive days shall be deemed to have forfeited his office.

20. VI.

NEBRASKA.

All officers provided for in this article shall hold their offices until their successors shall be qualified, and they shall respectively reside in the district, county or precinct for which they shall be elected or appointed. Terms of office of all such officers, when not otherwise prescribed in this article, shall be

Sec. Art.

two years. All officers, when not otherwise provided for in this article, shall perform such duties and receive such compensation as may be provided by law.

NEVADA.

17. VI.

The Legislature shall have no power to grant leave of absence to a judicial officer, and any such officer who shall absent himself from the State for more than ninety consecutive days, shall be deemed to have vacated his office.

NORTH CAROLINA.

11. IV.

Every judge of the Superior Court shall reside in the district for which he is elected. The judges shall preside in the courts of the different districts successively, but no judge shall hold the courts in the same district oftener than once in four years; but in case of the protracted illness of the judge assigned to preside in any district, or of any other unavoidable accident to him, by reason of which he shall be unable to preside, the Governor may require any judge to hold one or more specified terms in said district, in lieu of the judge assigned to hold the courts of the said district.

WASHINGTON.

8. IV.

Any judicial officer who shall absent himself from the State for more than sixty consecutive days shall be deemed to have forfeited his office: Provided, That in cases of extreme necessity the Governor may extend the leave of absence such time as the necessity therefor shall exist.

General Provisions.

Judges Not to Charge Juries in Respect to Matters of Fact.

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ARKANSAS.

23. VII.

Judges shall not charge juries with regard to matters of fact, but shall declare the law, and in jury trials shall reduce their charge or instructions to writing on the request of either party.

CALIFORNIA.

19. VI.

Judges shall not charge juries with respect to matters of fact, but may state the testimony and declare the law.

NEVADA.

12. VI.

Judges shall not charge juries in respect to matters of fact, but

Sec. Art.

may state the testimony and declare the law.

SOUTH CAROLINA.

26. IV.

Judges shall not charge juries in respect to matters of fact, but may state the testimony and declare the law.

TENNESSEE.

9. VI.

Judges shall not charge juries with respect to matters of fact, but may state the testimony and declare the law.

WASHINGTON.

16. IV.

Judges shall not charge juries with respect to matters of fact, nor comment thereon, but shall declare the law.

*Suits Against the State.***ARKANSAS.**

20. V.

The State of Arkansas shall never be made defendant in any of her courts.

CALIFORNIA.

6. XX.

Suits may be brought against the State in such manner and in such courts as shall be directed by law.

FLORIDA.

22. III.

Provisions may be made by general law for bringing suit against the State as to all liabilities now existing or hereafter originating.

24. XVI.

All marriages between a white person and a negro, or between a white person and a person of

negro descent to the fourth generation, inclusive, are hereby forever prohibited.

ILLINOIS.

26. V.

The State of Illinois shall never be made defendant in any court of law or equity.

INDIANA.

24. IV.

Provisions may be made by general law, for bringing suits against the State, as to all liabilities originating after the adoption of this Constitution; but no special act authorizing such suit to be brought, or making compensation to any person claiming damages against the State, shall ever be passed.

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NORTH DAKOTA.**27. III.**

The Legislature shall direct by law in what manner and in what courts suits may be brought against the State.

WEST VIRGINIA.**35. VI.**

The State of West Virginia shall

Sec. Art.

never be made defendant in any court of law or equity.

WISCONSIN.**27. IV.**

The Legislature shall direct by law in what manner and in what court suit may be brought against the State.

*Miscellaneous.***24. VI. COLORADO.**

The General Assembly shall have power to create and establish a Criminal Court in each county having a population exceeding fifteen thousand, which court may have concurrent jurisdiction with the District Courts in all criminal cases not capital, the terms of such courts to be as provided by law.

3. XIII.

All officers not liable to impeachment shall be subject to removal for misconduct or malfeasance in office, in such manner as may be provided by law.

4. VI. DELAWARE.

The Court of General Sessions of the Peace and Jail Delivery shall be composed in each county of the same judges and in the same manner as the Superior Court. Two shall constitute a quorum. One may open and adjourn the court. This court shall have all the jurisdiction and powers vested by the laws of this State in the Court of General Quarter Sessions of the Peace and Jail Delivery.

6. VI.

The Court of Oyer and Terminer shall consist of all the judges except the chancellor. Three of the said judges shall constitute a quorum. One may open

and adjourn the court. This court shall exercise the jurisdiction now vested in the Court of Oyer and Terminer and General Jail Delivery by the laws of this State. In the absence of the chief justice the senior associate present shall preside.

10. VI.

The Orphans' Court, in each county, shall be held by the chancellor and the associate judge residing in the county; the chancellor being president. Either of them, in the absence of the other, may hold the court. When they concur in opinion there shall be no appeal from their decision, except in the matter of real estate. When their opinions are opposed, or when a decision is made by one of them, and in all matters involving a right to real estate, or the appraised value or other value thereof, there shall be an appeal to the Superior Court of the county, which shall have final jurisdiction in every such case. This court shall have all the jurisdiction and powers vested by the laws of this State in the Orphans' Court.

12. VI.

The General Assembly, notwithstanding anything contained in this article, shall have power to appeal or alter any act of the General Assembly giving jurisdiction to the Courts of Oyer

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and Terminer and General Jail Delivery, or to the Supreme Court, or the Court of Common Pleas, or the Court of General Quarter Sessions of the Peace and Jail Delivery, or the Orphans' Court, or to the Court of Chancery, in any matter, or giving any power to either of said courts. Until the General Assembly shall otherwise direct, there shall be an appeal to the Court of Errors and Appeal in all cases in which there is an appeal, according to any act of the General Assembly, to the High Court of Errors and Appeals.

17. VI.

At any time pending an action for debt or damages, the defendant may bring into court a sum of money for discharging the same, and the cost then accrued, and the plaintiff not accepting thereof, it shall be delivered for his use to the clerk or prothonotary of the court; and if, upon the final decision of the cause, the plaintiff shall not recover a greater sum than that so paid into court for him, he shall not recover any costs accruing after such payment, except where the plaintiff is an executor or administrator.

21. VI.

An executor, administrator or guardian shall file every account with the register of the county, who shall, as soon as conveniently may be, carefully examine the particulars, with the proofs thereof, in the presence of such executor, administrator or guardian, and shall adjust and settle the same, according to the very right of the matter and the law of the land, which account so settled shall remain in his office for inspection; and the executor, administrator or guardian shall, within three

Sec. Art.

months after such settlement, give notice in writing to all persons entitled to shares of the estate, or to their guardians respectively, if residing within the State, that the account is lodged in the said office for inspection. Exceptions may be made by persons concerned, to both sides of every such account either denying the justice of the allowances made to the accountant or alleging further charges against him; and the exceptions shall be heard in the Orphans' Court for the county; and thereupon the accounts shall be adjusted and settled according to the right of the matter and law of the land.

FLORIDA.

20. V.

Any civil cause may be tried before a practicing attorney as referee upon the application of the parties and an order from the court in whose jurisdiction the case may be, authorizing such trial and appointing such referee. The referee shall keep a complete record of the case, including the evidence taken, and such record shall be filed with the papers in the case in the office of the clerk; and the cause shall be subject to an appeal in the manner prescribed by law.

36. V.

All judicial officers in this State shall be conservators of the peace.

GEORGIA.

3. VI.

The terms of the judges to be elected under the Constitution (except to fill vacancies) shall begin on the first day of January, after their elections. But if the time for the meeting of the General Assembly shall be changed, the General Assembly

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may change the time when the terms of judges thereafter elected shall begin.

4. VI.

Par. II. The General Assembly may confer upon the courts of common law all the powers heretofore exercised by courts of equity in this State.

Par. VII. The court shall render judgment without the verdict of a jury in all civil cases founded on unconditional contracts in writing, where an issuable defense is not filed under oath or affirmation.

6. VI.

Par. I. The powers of a court of ordinary and of probate shall be vested in an ordinary for each county, from whose decision there may be an appeal (or, by consent of parties, without a decision) to the Superior Court, under regulations prescribed by law.

Par. II. The Courts of Ordinary shall have such powers in relation to roads, bridges, ferries, public buildings, paupers, county officers, county funds, county taxes, and other county matters as may be conferred on them by law.

15. VI.

Par. I. No total divorce shall be granted, except on the concurrent verdicts of two juries at different terms of court.

16. VI.

Par. II. Cases respecting titles to land shall be tried in the county where the land lies, except where a single tract is divided by a county line, in which case the Superior Court of either county shall have jurisdiction.

Par. III. Equity cases shall be tried in the county where a defendant resides against whom substantial relief is prayed.

Par. VI. All other civil cases shall be tried in the county where the defendant resides, and all criminal cases shall be tried in the county where the crime was committed, except cases in the Superior Courts where the judge is satisfied that an impartial jury cannot be obtained in such county.

IDAHO.**13. V.**

The Legislature shall have no power to deprive the judicial department of any power or jurisdiction which rightfully pertains to it as a co-ordinate department of the government; but the Legislature shall provide a proper system of appeals, and regulate by law, when necessary, the methods of proceeding in the exercise of their powers of all the courts below the Supreme Court, so far as the same may be done without conflict with this Constitution.

INDIANA.**18. I.**

The penal code shall be founded on the principles of reformation, and not of vindictive justice.

15. VII.

All judicial officers shall be conservators of the peace in their respective jurisdictions.

17. VII.

The General Assembly may modify or abolish the grand jury system.

19. VII.

Tribunals of conciliation may be established with such powers and duties as shall be prescribed by law; or the powers and duties of the same may be conferred upon other courts of justice; but such tribunals or other courts, when sitting as such, shall have no power to render judgment to be

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obligatory on the parties unless they voluntarily submit their matters of difference and agree to abide the judgment of such tribunal or court.

21. VII.

Every person of good moral character, being a voter, shall be entitled to admission to practice law in all courts of justice.

KENTUCKY.

138.

Each county having a city of twenty thousand inhabitants, and a population, including said city, of forty thousand or more, may constitute a district, and when its population reaches seventy-five thousand, the General Assembly may provide that it shall have an additional judge, and such district may have a judge for each additional fifty thousand population above one hundred thousand. And in such counties the General Assembly shall, by proper laws, direct in what manner the court shall be held and the business therein conducted.

135.

No courts, save those provided for in this Constitution, shall be established.

LOUISIANA.

Art. 87. The judges of all courts, whenever practicable, shall refer to the law by virtue of which every definitive judgment is rendered; but in all cases they shall adduce the reasons on which their judgment is founded.

Art. 106. The sheriff of the parish in which the sessions of the court are held shall attend in person or by deputy to execute the orders of the court.

Art. 113. Wherever in this Constitution the qualification of any justice or judge shall be the pre-

Sec. Art.

vious practice of the law for a term of years, there shall be included in such term the time such justice or judge shall have occupied the bench of any court of record in this State: Provided, he shall have been a licensed attorney for five years before his election or appointment.

Art. 114. No judge of any court of the State shall be affected in his term of office, salary or jurisdiction as to territory or amount during the term or period for which he was elected or appointed. Any legislation so affecting any judge or court shall take effect only at the end of the term of office of the judge or judges, incumbents of the court or courts to which such legislation may apply at the time of its enactment. This article shall not affect the provisions of this Constitution relative to impeachment or removal from office.

Art. 146. All fees and charges fixed by law for the various courts of the parish of Orleans, and for the register of conveyances and recorder of mortgages of said parish shall inure to the State, and all sums realized therefrom shall be set aside and held as a special fund, out of which shall be paid by preference the judicial expenses of the parish of Orleans: Provided, That the State shall never make any payment to any sheriff, clerk, register of conveyances or recorder of mortgages of the parish of Orleans, or any of their deputies, for salary or other expenses of their respective offices, except from the special fund provided for by this article, and any appropriation made contrary to this provision shall be null and void.

Art. 186. The powers of courts to

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punish for contempt shall be limited by law.

MARYLAND.**8. IV.**

The parties to any cause may submit the same to the court for determination, without the aid of a jury; and all suits of actions at law, issues from the Orphans' Court or from any court sitting in equity, and in all cases of presentments or indictments for offenses which are or may be punishable by death pending in any of the courts of law of this State having jurisdiction thereof, upon suggestion in writing under bath of either of the parties to said proceedings, that such party cannot have a fair and impartial trial in the court in which the same may be pending, the said court shall order and direct the record of proceedings in such suit or action, issue, presentment or indictment, to be transmitted to some other court having jurisdiction in such case for trial; but in all other cases of presentment or indictment pending in any of the courts of law in this State having jurisdiction thereof, in addition to the suggestion in writing of either of the parties to such presentment or indictment that such party cannot have a fair and impartial trial in the court in which the same may be pending, it shall be necessary for the party making such suggestion to make it satisfactorily appear to the court that such suggestion is true, or that there is reasonable ground for the same; and thereupon the said court shall order and direct the record of proceedings in such presentment or indictment to be transmitted to some other

Sec. Art.

court having jurisdiction in such cases for trial; and such right of removal shall exist upon suggestion in cases when all the judges of said court may be disqualified, under the provisions of this Constitution, to sit in any case; and said court to which the record of proceedings in such suit or action, issue, presentment or indictment may be so transmitted shall hear and determine the same in like manner as if such suit or action, issue, presentment or indictment had been originally instituted therein; and the General Assembly shall make such modification of existing law as may be necessary to regulate and give force to this provision.

MASSACHUSETTS.**1.**

III. The general court shall forever have full power and authority to erect and constitute judiciatories and courts of record, or other courts, to be held in the name of the Commonwealth, for the hearing, trying, and determining of all manner of crimes, offenses, pleas, processes, complaints, actions, matters, causes, and things, whatsoever, arising or happening within the Commonwealth, or between or concerning persons inhabiting, or residing, or brought within the same; whether the same be criminal or civil, or whether the said crimes be capital or not capital, and whether the said pleas be real, personal, or mixed; and for the awarding and making out of execution thereupon. To which courts and judiciaries are hereby given and granted full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any

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matter in controversy or depending before them.

MISSISSIPPI.**175. VI.**

All public officers, for willful neglect of duty, or misdemeanor in office, shall be liable to presentment or indictment by a grand jury, and upon conviction, shall be removed from office, and otherwise punished as may be prescribed by law.

261. IV.

The expense of criminal prosecutions, except those before justices of the peace, shall be borne by the county in which such prosecutions shall be begun; and all net fines and forfeitures shall be paid into the treasury of such county. Defendants in cases of conviction may be taxed with the costs.

MISSOURI.**5. V.**

All civil officers of this State shall be liable to impeachment for any misdemeanor in office.

31. VI.

The General Assembly shall have no power to establish criminal courts, except in counties having a population exceeding fifty thousand.

42. VI.

All courts now existing in this State, not named or provided for in this Constitution, shall continue until the expiration of the terms of office of the several judges; and as such terms expire, the business of said courts shall vest in the court having jurisdiction thereof in the counties where said courts now exist, and all the records and papers shall be transferred to the proper courts.

NEBRASKA.**14. VI.**

There shall be but one form of

Sec. Art.

civil action, and law and equity may be administered in the same action.

23. VI.

The several judges of the courts of record shall have jurisdiction at chambers as may be provided by law.

NEVADA.**18. VI.**

No judicial officer shall be superseded, nor shall the organization of the several courts of the Territory of Nevada be changed, until the election and qualification of the several officers provided for in this article.

NEW HAMPSHIRE.**87.**

All writs issuing out of the clerk's office, in any of the courts of law, shall be in the name of the State of New Hampshire, shall be under the seal of the court whence they issue, and bear teste of the chief, first, or senior justice of the court, but when such justice shall be interested, then the writ shall bear teste of some other justice of the court, to which the same shall be returnable; and be signed by the clerk of such court.

NORTH CAROLINA.**1. IV.**

The distinctions between actions at law and suits in equity, and the forms of all such actions and suits, shall be abolished; and there shall be in this State but one form of action, for the enforcement or protection of private rights or the redress of private wrongs, which shall be denominated a civil action; and every action prosecuted by the people of the State as a party against a person charged with a public offense, for the punishment of the same, shall be

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termed a criminal action. Feigned issues shall also be abolished, and the fact at issue tried by order of court before a jury.

NORTH DAKOTA.**120. IV.**

Tribunals of conciliation may be established with such powers and duties as shall be prescribed by law, or the powers and duties of such may be conferred upon other courts of justice; but such tribunals or other courts, when sitting as such, shall have no power to render judgments to be obligatory on the parties, unless they voluntarily submit their matters of difference and agree to abide the judgment of such tribunals or courts.

197. XIV.

All officers not liable to impeachment shall be subject to removal for misconduct, malfeasance, crime or misdemeanor in office, or for habitual drunkenness or gross incompetency, in such manner as may be provided by law.

OHIO.**19. IV.**

The General Assembly may establish courts of conciliation, and prescribe their powers and duties; but such courts shall not render final judgment in any case, except upon submission, by the parties, of the matter in dispute, and their agreement to abide such judgment.

4.

The first election for judges for the Supreme Court, Courts of Common Pleas and Probate Courts, and clerks of the Courts of Common Pleas, shall be held on the second Tuesday of October, one thousand eight hundred and fifty-one, and the official term of said judges and clerks, so elected, shall com-

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mence on the second Monday of February, one thousand eight hundred and fifty-two. Judges and clerks of the Courts of Common Pleas and Supreme Court in office on the first day of September, one thousand eight hundred and fifty-one shall continue in office with their present powers and duties until the second Monday of February, one thousand eight hundred and fifty-two. No suits or proceeding pending in any of the courts of this State shall be affected by the adoption of this Constitution.

OREGON.**15. I.**

Laws for the punishment of crime shall be founded on the principles of reformation, and not of vindictive justice.

PENNSYLVANIA.**15. I.**

No commission of oyer and terminer or jail delivery shall be issued.

14. V.

In all cases of summary conviction in this Commonwealth, or of judgment in suit for a penalty before a magistrate, or court not of record, either party may appeal to such court of record as may be prescribed by law, upon allowance of the appellate court or judge thereof upon cause shown.

SOUTH CAROLINA.**18. IV.**

The Court of General Sessions shall have exclusive jurisdiction over all criminal cases which shall not be otherwise provided for by law. It shall sit in each county in the State at least three times in each year, at such stated times and places as the General Assembly may direct.

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24. IV.

Every action cognizable before justices of the peace, instituted by summons or warrants, shall be brought before some justice of the peace in the county or city where the defendant resides, and in all such cases tried by them the right of appeal shall be secured under such rules and regulations as may be provided by law

TENNESSEE.

9. X.

The Legislature shall have the right to vest such powers in the courts of justice, with regard to private and local affairs, as may be deemed expedient.

TEXAS.

26. V.

The State shall have no right of appeal in criminal cases.

VIRGINIA.

15. VI.

Also, the following enumerated officers, who shall be elected by the qualified voters of the said cities or towns: One clerk of the Corporation or Hustings Court, who shall also be the clerk of the Circuit Court, except in cities and towns containing a population of thirty thousand or more, in which city or town there may be a separate clerk for the Circuit Court, who shall hold his office for a term of six years.

WEST VIRGINIA.

27. VI.

Laws shall be enacted and enforced, by suitable provisions and penalties, requiring sheriffs, and all other officers, whether State, county, district or municipal,

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pal, who shall collect or receive, or whose official duty it is, or shall be, to collect, receive, hold or pay, out of any money belonging to, or which is, or shall be, for the use of the State or any county, district or municipal corporation, to make annual account and settlement therefor. Such settlement, when made, shall be subject to exceptions, and take such direction, and have only such force and effect, as may be provided by law; but in all cases, such settlement shall be recorded, and be open to the examination of the people at such convenient place or places as may be appointed by law.

WISCONSIN.

16. VII.

The Legislature shall pass laws for the regulation of tribunals of conciliation, defining their powers and duties. Such tribunals may be established in and for any township, and shall have power to render judgment to be obligatory on the parties, when they shall voluntarily submit their matter in difference to arbitration, and agree to abide the judgment or assent thereto in writing.

18.

The Legislature shall impose a tax on all civil suits commenced or prosecuted in the municipal, inferior, or circuit courts, which shall constitute a fund to be applied toward the payment of the salary of the judges.

WYOMING.

15. I.

The penal code shall be framed on the humane principles of reformation and prevention

ARTICLE VII.

STATE CREDIT NOT TO BE LOANED.

- 1 Section 1. The credit of the State shall not in any manner
 2 be given or loaned to or in aid of any individual, association
 3 or corporation.

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ALABAMA.**54. IV.**

The State shall not engage in works of internal improvement, nor lend money or its credit in aid of such; nor shall the State be interested in any private or corporate enterprise, or lend money or its credit to any individual, association or corporation.

ARKANSAS.**1. XVI.**

Neither the State nor any city, county, town or other municipality in this State shall ever loan its credit for any purpose whatever; nor shall any county, city, town or municipality ever issue any interest-bearing evidences of indebtedness, except such bonds as may be authorized by law to provide for and secure the payment of the present existing indebtedness, and the State shall never issue any interest-bearing treasury warrants or scrip.

CALIFORNIA.**13. VII.**

The State shall not, in any manner, loan its credit, nor shall it subscribe to or be interested in the stock of any company, association or corporation.

COLORADO.**1. XI.**

Neither the State, nor any coun-

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ty, city, town, township or school district, shall lend or pledge the credit or faith thereof, directly or indirectly, in any manner to, or in aid of, any person, company or corporation, public or private, for any amount or for any purpose whatever, or become responsible for any debt, contract or liability of any person, company or corporation public or private, in or out of the State.

FLORIDA.**10. IX.**

The credit of the State shall not be pledged or loaned to any individual, company, corporation or association; nor shall the State become a joint owner or stockholder in any company, association or corporation. The Legislature shall not authorize any county, city, borough, township or incorporated district to become a stockholder in any company, association or corporation, or to obtain or appropriate money for, or to loan its credit to, any corporation, association, institution or individual.

GEORGIA.**5. VII.**

Par. I. The credit of the State shall not be pledged or loaned to any individual, company, corporation or association,

State Credit Not to be Loaned.

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and the State shall not become a joint owner or stockholder in any company, association or corporation.

IDAHO.

2. VIII.

The credit of the State shall not, in any manner, be given or loaned to, or in aid of, any individual, association, municipality or corporation; nor shall the State, directly or indirectly, become a stockholder in any association or corporation.

ILLINOIS.

20. V.

The State shall never pay, assume or become responsible for the debts or liabilities of, or in any manner give, loan or extend its credit to, or in aid of, any public or other corporation, association, institution or individual.

INDIANA.

12. XI.

The State shall not be a stockholder in any bank, after the expiration of the present bank charter; nor shall the credit of the State ever be given, or loaned, in aid of any person, association or corporation, nor shall the State hereafter become a stockholder in any corporation or association.

IOWA.

1. VII.

The credit of the State shall not, in any manner, be given or loaned to, or in aid of, any individual, association or corporation; and the State shall never assume, or become responsible for, the debts or liabilities of any individual, association or corporation, unless incurred in time of war for the benefit of the State.

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KENTUCKY.

177.

The credit of the Commonwealth shall not be given, pledged or loaned to any individual, company, corporation or association, municipality, or political subdivision of the State; nor shall the Commonwealth become an owner or stockholder in, nor make donation to, any company, association or corporation; nor shall the Commonwealth construct a railroad or other highway.

LOUISIANA.

Art. 56. The funds, credit, property or things of value of the State, or of any political corporation thereof, shall not be loaned, pledged or granted to or for any person or persons, association or corporation, public or private; nor shall the State, or any political corporation, purchase or subscribe to the capital or stock of any corporation or association whatever, or for any private enterprise. Nor shall the State, nor any political corporation thereof assume the liabilities of any political municipal, parochial private or other corporation or association whatever; nor shall the State undertake to carry on the business of any such corporation or association, or become a part owner therein: Provided, The State, through the General Assembly, shall have the power to grant the right of way through its public lands to any railroad or canal.

MAINE.

14. IX.

The credit of the State shall not be directly or indirectly loaned in any case. The Legislature shall not create any debt or

State Credit Not to be Loaned.

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debts, liability or liabilities, on behalf of the State, which shall singly or in the aggregate, with previous debts and liabilities hereafter incurred at any one time, exceed three hundred thousand dollars, except to suppress insurrection, to repel invasion, or for purposes of war; but this amendment shall not be construed to refer to any money that has been or may be deposited with this State by the government of the United States, or to any fund which the State shall hold in trust for any Indian tribe.

MICHIGAN.**6. XIV.**

The credit of the State shall not be granted to, or in aid of, any person, association or corporation.

MINNESOTA.**10.**

The credit of this State shall never be given or loaned in aid of any individual, association or corporation, except that for the purpose of expediting the construction of the lines of railroads, in aid to which the Congress of the United States has granted lands to the Territory of Minnesota, the Governor shall cause to be issued and delivered to each of the companies in which said grants are vested by the Legislative Assembly of Minnesota the special bonds of the State, bearing an interest of seven per cent per annum, payable semi-annually in the city of New York, as a loan of public credit, to an amount not exceeding \$1,250,000, or an aggregate amount to all of said companies not exceeding \$5,000,000, in manner following, to wit:

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Whenever either of the said companies shall produce to the government satisfactory evidence, verified by the affidavits of the chief engineer, treasurer and two directors of said company, that any ten miles of the road of said company have been actually constructed and completed, ready for placing the superstructure thereon, the Governor shall cause to be issued and delivered to such company bonds to the amount of \$100,000; and whenever thereafter, and as often as either of said companies shall produce to the Governor like evidence of a further construction of ten miles of its road, as aforesaid, then the Governor shall cause to be issued to such company further like bonds to the amount of \$100,000 for each and every ten miles of the road thus constructed; and whenever such company shall furnish like evidence that any ten miles of its road is actually completed and cars running thereon, the Governor shall cause to be issued to such company like bonds to the amount of \$100,000; and whenever thereafter, and as often as either of said companies shall produce to the Governor like evidence that any further ten miles of said road is in operation, as aforesaid, the Governor shall cause to be issued to such company further like bonds to the amount of \$100,000, until the full amount of the bonds hereby authorized shall be issued: Provided, That two-fifths, and no more, of all bonds issued to the Southern Minnesota Railway Company shall be expended in the construction and equipment of the line of road from La Crescent to

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the point of junction with the Transit road, as provided by law. And further provided, That the Minneapolis and Cedar Valley Railroad Company shall commence the construction of their road at Faribault and Minneapolis, and shall grade an equal number of miles from each of said places. The said bonds thus issued shall be dominated "Minnesota State Railroad Bonds," and the faith and credit of this State are hereby pledged for the payment of the interest and the redemption of the principal thereof. They shall be signed by the Governor, countersigned and registered by the Treasurer, sealed with the seal of the State, of denominations not exceeding \$1,000, payable to the order of the company to whom issued, transferable by the indorsement of the president of the said company, and redeemable at any time after ten and before the expiration of twenty-five years from the date thereof. Within thirty days after the Governor shall proclaim that the people have voted for a loan of State credit to railroads, any of said companies proposing to avail themselves of the loan herein provided for, and to accept the conditions of the same, shall notify the Governor thereof, and shall, within sixty days, commence the construction of their roads, and shall, within two years thereafter, construct, ready for the superstructure, at least fifty (50) miles of their road. Each company shall make provision for the punctual payment and redemption of all bonds issued and delivered as aforesaid to said company, and for the punctual payment of the inter-

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est which shall accrue thereon, in such manner as to exonerate the treasury of this State from any advances of money for that purpose; and as security therefor, the Governor shall demand and receive from each of said companies before any of said bonds are issued an instrument pledging the net profits of its road for the payment of said interest, and a conveyance to the State of the first two hundred and forty sections of land free from prior incumbrances which such company is, or may be, authorized to sell, in trust, for the better security of the treasury of the State from loss on said bonds, which said deed of trust shall authorize the Governor and Secretary of State to make conveyances of title to all or any of such lands to purchasers agreeing with the respective railroad companies therefor.

Provided, That before releasing the interest of the State to such lands, such sale shall be approved by the Governor; but the proceeds of such sale shall be applied to the payment of interest accruing upon the bonds, in case of default of payment of the same, and as a sinking fund to meet any future default in the payment of interest and principal thereof when due. And as further security, an amount of first mortgage bonds on the roads, lands and franchises of the respective companies, corresponding to the State bonds issued, shall be transferred to the Treasurer of the State at the time of the issue of State bonds. And in case either of said companies shall make default in payment of either the interest or principal of the

State Credit Not to be Loaned.

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bonds issued to said companies by the Governor, no more State bonds shall thereafter be issued to said company, and the Governor shall proceed in such manner as may be prescribed by law to sell the bonds of the defaulting company or companies, or the lands held in trust, as above, or may require the foreclosure of the mortgage executed to secure the same: Provided, That if any company so in default, before the day of sale, shall pay all interest and principal then due and all expenses incurred by the State, no sale shall take place, and the right of said company shall not be impaired to a further loan of State credit: Provided, If any of said companies shall at any time offer to pay the principal, together with the interest that may then be due upon any of the Minnesota State railroad bonds which may have been issued under the provisions of this section, then the Treasurer of the State shall receive the same, and the liabilities of said company or companies in respect to said bonds shall cease upon such payment into the State treasury of principal, together with the interest, as aforesaid: Provided, further, That in consideration of the loan of State credit herein provided, that the company or companies which may accept the bonds of the State, in the manner herein specified, shall, as a condition thereof, each complete not less than fifty miles of its road on or before the expiration of the year 1861, and not less than one hundred miles before the year 1864, and complete four-fifths of the entire length of its road

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before the year 1866; and any failure on the part of any such company to complete the number of miles of its road or roads, in the manner and within the several times herein prescribed, shall forfeit to the State all the right, title and interest of any kind whatsoever in and to any lands, together with the franchises connected with the same not pertaining or applicable to the portion of the road by them constructed, and a fee simple to which has not accrued to either of said companies by reason of such construction which was granted to the company or companies thus failing to comply with the provisions hereof, by act of the Legislature of the Territory of Minnesota vesting said lands in said companies respectively. (Expunged by amendment to section 10, article 9.) (Adopted April 15 1858.)

MISSISSIPPI.

258. XIV.

The credit of the State shall not be pledged or loaned in aid of any person, association or corporation; and the State shall not become a stockholder in any corporation or association, nor assume, redeem, secure or pay any indebtedness or pretended indebtedness alleged to be due by the State of Mississippi to any person, association or corporation whatsoever, claiming the same as owners, holders or assigns of any bond or bonds now generally known as "Union Bank" bonds and "Planters' Bank" bonds.

MISSOURI.

45. IV.

The General Assembly shall have no power to give or to lend, or

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to authorize the giving or lending of the credit of the State in aid of or to any person, association or corporation, whether municipal or other, or to pledge the credit of the State in any manner whatsoever, for the payment of the liabilities, present or prospective, of any individual, association of individuals, municipal or other corporation whatsoever.

46. IV.

The General Assembly shall have no power to make any grant or to authorize the making of any grant of public money or thing of value to any individual, association of individuals, municipal or other corporation whatsoever: Provided, That this shall not be so construed as to prevent the grant of aid in a case of public calamity.

MONTANA.

38. V.

The Legislative Assembly shall have no power to pass any law authorizing the State, or any county in the State, to contract any debt or obligation in the construction of any railroad, nor to give or loan its credit to or aid in the construction of the same.

1. XIII.

Neither the State, nor any county, city, town, municipality, nor other subdivision of the State shall ever give or loan its credit in aid of, or make any donation or grant, by subsidy or otherwise, to any individual, association or corporation, or become a subscriber to, or a shareholder in, any company or corporation, or a joint owner with any person, company or corporation, except as to such ownership as may accrue to the

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State by operation or provision of law.

NEBRASKA.

3. XIV.

The credit of the State shall never be given or loaned in aid of any individual, association or corporation.

NEW JERSEY.

3. IV.

The credit of the State shall not be directly or indirectly loaned in any case.

NORTH DAKOTA.

185. XII.

Neither the State or any county, city, township, town, school district or any other political subdivision shall loan or give its credit or make donations to or in aid of any individual, association or corporation, except for necessary support of the poor, nor subscribe to or become the owner of the capital stock of any association or corporation, nor shall the State engage in any work of internal improvement unless authorized by a two-thirds vote of the people.

OHIO.

4. VIII.

The credit of the State shall not, in any manner, be given or loaned to, or in aid of, any individual, association or corporation whatever; nor shall the State ever hereafter become a joint owner or stockholder in any company or association in this State, or elsewhere formed, for any purpose whatever.

OREGON.

7. XI.

The Legislative Assembly shall not loan the credit of the State, nor in any manner create any debts or liabilities, which shall singly or in the aggregate with

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previous debts or liabilities exceed the sum of fifty thousand dollars, except in case of war, or to repel invasion, or suppress insurrection; and every contract of indebtedness entered into or assumed by or on behalf of the State, when all its liabilities and debts amount to said sum shall be void and of no effect.

PENNSYLVANIA.**6. IX.**

The credit of the Commonwealth shall not be pledged or loaned to any individual, company, corporation or association, nor shall the Commonwealth become a joint owner or stockholder in any company, association or corporation.

SOUTH CAROLINA.**XVI.**

To the end that the public debt of South Carolina may not hereafter be increased without the due consideration and free consent of the people of the State, the General Assembly is hereby forbidden to create any further debt or obligation, either by the loan of the credit of the State, by guaranty, indorsement or otherwise, except for the ordinary and current business of the State, without first submitting the question as to the creation of any such new debt, guaranty, indorsement or loan of its credit to the people of the State at a general State election; and unless two-thirds of the qualified electors of this State, voting on the question, shall be in favor of a further debt, guaranty, indorsement or loan of its credit, none shall be created or made. (Ratified January, 1873.)

SOUTH DAKOTA.**1. XIII.**

Neither the State nor any county,

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township or municipality shall loan or give its credit or make donations to or in aid of any individual, association or corporation except for the necessary support of the poor, nor subscribe to or become the owner of the capital stock of any association or corporation, nor pay or become responsible for the debt or liability of any individual, association or corporation: Provided, That the State may assume or pay such debt or liability when incurred in time of war for the defense of the State. Nor shall the State engage in any work of internal improvement.

TENNESSEE.**31. II.**

The credit of this State shall not be hereafter loaned or given to or in aid of any person, association, company, corporation, or municipality, nor shall the State become the owner, in whole or in part, of any bank, or a stockholder with others in any association, company, corporation, or municipality.

TEXAS.**50. III.**

The Legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the State in aid of, or to any person, association or corporation, whether municipal or other; or to pledge the credit of the State, in any manner whatsoever, for the payment of the liabilities, present or prospective, of any individual, association of individuals, municipal or other corporation whatsoever.

VIRGINIA.**12. X.**

The credit of the State shall not

State Credit Not to be Loaned.

Sec. Art.

be granted to or in aid of any person, association or corporation.

17. X.

The State shall not assume any indebtedness of the county, borough or city, nor lend its credit to the same.

WASHINGTON.

5. VIII.

The credit of the State shall not, in any manner, be given or loaned to, or in aid of, any individual, association, company or corporation.

9. XII.

The State shall not in any manner loan its credit, nor shall it subscribe to, or be interested in the stock of any company, association or corporation.

WISCONSIN.

3. VIII.

The credit of the State shall never be given or loaned in aid of any individual, association or corporation.

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WYOMING.

39. III.

The Legislature shall have no power to pass any law authorizing the State or any county in the State to contract any debt or obligation in the construction of any railroad, or give or loan its credit to or in aid of the construction of the same.

6. XVI.

Neither the State nor any county, city, township, town, school district, or any other political subdivision, shall loan or give its credit or make donations to or in aid of any individual, association or corporation, except for necessary support of the poor, nor subscribe to or become the owner of the capital stock of any association or corporation. The State shall not engage in any work of internal improvement unless authorized by a two-thirds vote of the people.

Power to Contract Debts.

POWER TO CONTRACT DEBTS.

- 1 Sec. 2. The 'State may, to meet casual deficits or failures
 2 in revenues, or for expenses not provided for, contract debts;
 3 but such debts, direct or contingent, singly 'or in the aggre-
 4 gate shall not at any time exceed one million of dollars; and
 5 the moneys arising from the loans creating such debts shall
 6 be applied to the purpose for which they were obtained, or to
 7 repay the debt so contracted, and to no other purpose whatever.

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CALIFORNIA.**1. XVI.**

The Legislature shall not, in any manner, create any debt or debts, liability or liabilities, which shall, singly or in the aggregate with any previous debts or liabilities, exceed the sum of three hundred thousand dollars, except in cases of war, to repel invasion or suppress insurrection, unless the same shall be authorized by law for some single object or work to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of the interest of such debt or liability as it falls due, and also to pay and discharge the principal of such debt or liability within twenty years of the time of the contracting thereof, and shall be ir-repealable until the principal and interest thereon shall be paid and discharged; but no such law shall take effect until, at a general election, it shall have been submitted to the people and shall have received a majority

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of all the votes cast for and against it at such election; and all moneys raised by authority of such law shall be applied only to the specific object therein stated, or to the payment of the debt thereby created, and such law shall be published in at least one newspaper in each county, or city and county, if one be published therein, throughout the State, for three months next preceding the election at which it is submitted to the people. The Legislature may, at any time after the approval of such law by the people, if no debt shall have been contracted in pursuance thereof, repeal the same.

COLORADO.**3. XI.**

The State shall not contract any debt by loan, in any form, except to provide for casual deficiencies of revenue, erect public buildings for use of the State, suppress insurrection, defend the State, or in time of war, assist in defending the United States; and the amount of debt

Power to Contract Debts.

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contracted in any one year to provide for deficiencies of the revenue shall not exceed one-fourth of a mill on each dollar of valuation of taxable property within the State, and the aggregate amount of such debt shall not at any time exceed three-fourths of a mill on each dollar of said valuation until the valuation shall equal one hundred million dollars, and thereafter such debt shall not exceed one hundred thousand dollars, and the debt incurred in any one year for erection of public buildings shall not exceed one-half mill on each dollar of said valuation, and the aggregate amount of such debt shall never at any time exceed the sum of fifty thousand dollars (except as provided in section 5 of this article), and in all cases the valuation in this section mentioned shall be that of the assessment last preceding the creation of said debt.

GEORGIA.

3. VII.

Par. I. No debt shall be contracted by or on behalf of the State, except to supply casual deficiencies of revenue, to repel invasion, suppress insurrection, and defend the State in time of war, or to pay the existing public debt; but the debt created to supply deficiencies in revenue shall not exceed, in the aggregate, two hundred thousand dollars.

IDAHO.

4. VIII.

No county, city, town, township, board of education or school district, or other subdivision, shall lend, or pledge the credit or faith thereof, directly or indirectly, in any manner, to or in aid of any individual, associa-

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tion or corporation, for any amount or for any purpose whatever, or become responsible for any debt, contract or liability of any individual, association or corporation in or out of this State.

INDIANA.

5. X.

No law shall authorize any debt to be contracted, on behalf of the State, except in the following cases: To meet casual deficits in the revenue; to pay the interest on the State debt; to repel invasion, suppress insurrection, or, if hostilities be threatened, provide for public defense.

IOWA.

2. VII.

The State may contract debts to supply casual deficits or failures in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts, direct and contingent, whether contracted by virtue of one or more acts of the General Assembly, or at different periods of time, shall never exceed the sum of two hundred and fifty thousand dollars; and the money arising from the creation of such debts, shall be applied to the purpose for which it was obtained, or to repay the debts so contracted, and to no other purpose whatever.

5. VII.

Except the debts hereinbefore specified in this article, no debt shall be hereafter contracted by, or on behalf of, this State, unless such debt shall be authorized by some law for some single work or object, to be distinctly specified therein; and such law shall impose and provide for the collection of a direct annual tax, sufficient to pay the interest on such debt, as it falls

Power to Contract Debts.

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due, and also to pay and discharge the principal of such debt, within twenty years from the time of contracting thereof; but no such law shall take effect until at a general election it shall have been submitted to the people, and have received a majority of all the votes cast for and against it at such election; and all money raised by authority of such law, shall be applied only to the specific object therein stated, or to the payment of the debt created thereby; and such law shall be published in at least one newspaper in each county, if one is published therein, throughout the State, for three months preceding the election at which it is submitted to the people.

KANSAS.**5. XI.**

For the purpose of defraying extraordinary expenses and making public improvements, the State may contract public debts; but such debts shall never, in the aggregate, exceed one million dollars, except as hereinafter provided. Every such debt shall be authorized by law for the purpose specified therein, and the vote of a majority of the members elected to each house, to be taken by the yeas and nays, shall be necessary to the passage of such law; and every such law shall provide for levying an annual tax sufficient to pay the annual interest of such debt, and the principal thereof, when it shall become due; and shall specifically appropriate the proceeds of such taxes to the payment of such principal and interest; and such appropriation shall not be repealed nor the taxes postponed or diminished until the interest

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and principal of such debt shall have been wholly paid.

KENTUCKY.**49.**

The General Assembly may contract debts to meet casual deficits or failures in the revenue; but such debts, direct or contingent singly or in the aggregate, shall not at any time exceed five hundred thousand dollars, and the moneys arising from loans creating such debts shall be applied only to the purpose or purposes for which they were obtained, or to repay such debts: Provided, The General Assembly may contract debts to repel invasion, suppress insurrection, or, if hostilities are threatened, provide for the public defense.

50.

No act of the General Assembly shall authorize any debt to be contracted on behalf of the Commonwealth except for the purposes mentioned in section forty-nine, unless provision be made therein to levy and collect an annual tax sufficient to pay the interest stipulated, and to discharge the debt within thirty years; nor shall such act take effect until it shall have been submitted to the people at a general election, and shall have received a majority of all the votes cast for and against it: Provided, The General Assembly may contract debts by borrowing money to pay any part of the debt of the State, without submission to the people, and without making provision in the act authorizing the same for a tax to discharge the debt so contracted, or the interest thereon.

178.

All laws authorizing the borrow-

Power to Contract Debts.

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ing of money by and on behalf of the Commonwealth, county or other political sub-division of the State, shall specify the purpose for which the money is to be used, and the money so borrowed shall be used for no other purpose.

MICHIGAN.**3. XIV.**

The State may contract debts to meet deficits in revenue. Such debts shall not in the aggregate at any one time exceed fifty thousand dollars. The money so raised shall be applied to the purposes for which they were obtained, or to the payment of the debts so contracted.

MINNESOTA.**5. IX.**

For the purpose of defraying extraordinary expenditures, the State may contract public debts, but such debts shall never, in the aggregate, exceed \$250,000; every such debt shall be authorized by law, for some single object, to be distinctly specified therein; and no such law shall take effect until it shall have been passed by the vote of two-thirds of the members of each branch of the Legislature, to be recorded by yeas and nays on the journals of each house respectively; and every such law shall levy a tax annually sufficient to pay the annual interest of such debt, and also a tax sufficient to pay the principal of such debt within ten years from the final passage of such law, and shall specially appropriate the proceeds of such taxes to the payment of such principal and interest; and such appropriation and taxes shall not be repealed, postponed or diminished, until the principal and interest of

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such debt shall have been wholly paid. The State shall never contract any debts for works of internal improvements, or be a party in carrying on such works, except in cases where grants of land or other property shall have been made to the State, especially dedicated by the grant to specific purposes, and in such cases the State shall devote thereto the avails of such grants, and may pledge or appropriate the revenues derived from such works in aid of their completion.

MISSOURI.**44. IV.**

The General Assembly shall have no power to contract or to authorize the contracting of any debt or liability on behalf of the State, or to issue bonds or other evidence of indebtedness thereof, except in the following cases:

First—In renewal of existing bonds, when they cannot be paid at maturity, out of the sinking fund or other resources.

Second—On the occurring of an unforeseen emergency, or casual deficiency of the revenue when the temporary liability incurred, upon the recommendation of the Governor first had, shall not exceed the sum of two hundred and fifty thousand dollars for any one year, to be paid in not more than two years from and after its creation.

Third—On the occurring of any unforeseen emergency or casual deficiency of the revenue, when the temporary liability incurred or to be incurred shall exceed the sum of two hundred and fifty thousand dollars for any one year, the General Assembly, may submit an act providing for the loan, or for the contract-

Power to Contract Debts.

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ing of the liability, and containing a provision for levying a tax sufficient to pay the interest and principal when they become due (the latter in not more than thirteen years from the date of its creation), to the qualified voters of the State, and when the act so submitted shall have been ratified by a two-thirds majority, at an election held for that purpose, due publication having been made of the provisions of the act for at least three months before such election, the act thus ratified shall be irrevocable until the debt thereby incurred shall be paid, principal and interest.

NEBRASKA.

1. XIV.

The State may, to meet casual deficits or failures in the revenues, contract debts never to exceed in the aggregate one hundred thousand dollars; and no greater indebtedness shall be incurred except for the purpose of repelling invasion, suppressing insurrection, or defending the State in war; and provision shall be made for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue, which law providing for the payment of such interest by tax shall be irrevocable until such debt be paid.

NEVADA.

3. IX.

For the purpose of enabling the State to transact its business upon a cash basis, from its organization, the State may contract public debts; but such debts shall never, in the aggregate, exclusive of interest, exceed the sum of three hundred thousand dollars, except for the purpose of defraying

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extraordinary expenses as hereinafter mentioned. Every such debt shall be authorized by law for some purpose or purposes, to be distinctly specified therein; and every such law shall provide for levying an annual tax sufficient to pay the interest semi-annually, and the principal within twenty years from the passage of such law, and shall specially appropriate the proceeds of said taxes to the payment of said principal and interest and such appropriation shall not be repealed, nor the taxes be postponed or diminished until the principal and interest of said debts shall have been wholly paid. Every contract of indebtedness entered into or assumed by or on behalf of the State, when all its debts and liabilities amount to said sum before mentioned, shall be void and of no effect, except in cases of money borrowed to repel invasion, suppress insurrection, defend the State in time of war, or, if hostilities be threatened, provide for the public defense.

NORTH DAKOTA.

182. XII.

The State may, to meet casual deficits or failure in the revenue, or in case of extraordinary emergencies, contract debts, but such debts shall never in the aggregate exceed the sum of \$200,000, exclusive of what may be the debt of North Dakota at the time of the adoption of this Constitution. Every such debt shall be authorized by law for certain purposes, to be definitely mentioned therein, and every such law shall provide for levying an annual tax sufficient to pay the interest semi-annually, and the principal

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Sec. Art.

within thirty years from the passage of such law, and shall specially appropriate the proceeds of such tax to the payment of said principal and interest, and such appropriation shall not be repealed nor the tax discontinued until such debt, both principal and interest, shall have been fully paid. No debt in excess of the limit named shall be incurred, except for the purpose of repelling invasion, suppressing insurrection, defending the State in time of war, or to provide for public defense in case of threatened hostilities; but the issuing of new bonds to refund existing indebtedness shall not be construed to be any part or portion of said \$200,000.

OHIO.

1. VIII.

The State may contract debts to supply casual deficits or failure in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts, direct and contingent, whether contracted by virtue of one or more acts of the General Assembly, or at different periods of time, shall never exceed seven hundred and fifty thousand dollars; and the money arising from the creation of such debts shall be applied to the purpose for which it was obtained, or to repay the debts so contracted, and to no other purpose whatever.

PENNSYLVANIA.

4. IX.

No debt shall be created by or on behalf of the State, except to supply casual deficiencies of revenue, repel invasions, suppress insurrection, defend the State in war, or to pay exist-

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ing debts; and the debt created to supply deficiencies in revenue shall never exceed, in the aggregate, at any one time, one million of dollars.

SOUTH CAROLINA.

2. XIII.

For the purpose of defraying extraordinary expenditures the State may contract public debts; but such debts shall be authorized by law for some single object, to be distinctly specified therein; and no such law shall take effect until it shall have been passed by the vote of two-thirds of the members of each branch of the General Assembly, to be recorded by yeas and nays on the journals of each house respectively; and every such law shall levy a tax annually sufficient to pay the annual interest of such debt.

SOUTH DAKOTA.

2. XIII.

For the purpose of defraying extraordinary expenses and making public improvements, or to meet casual deficits or failure in revenue, the State may contract debts, never to exceed, with previous debts, in the aggregate \$100,000, and no greater indebtedness shall be incurred except for the purpose of repelling invasion, suppressing insurrection, or defending the State or the United States in war, and provision shall be made by law for the payment of the interest annually, and the principal when due, by tax levied for the purpose, or from other sources of revenue; which law providing for the payment of such interest and principal by such tax or otherwise shall be irrevocable until such debt is paid: Provided, however,

Power to Contract Debts.

Sec. Art.

The State of South Dakota shall have the power to refund the Territorial debt assumed by the State of South Dakota by bonds of the State of South Dakota.

TEXAS.**49. III.**

No debt shall be created by or on behalf of the State, except to supply casual deficiencies of revenue, repel invasion, suppress insurrection, defend the State in war, or pay existing debt; and the debt created to supply deficiencies in the revenue shall never exceed in the aggregate at any one time two hundred thousand dollars.

VIRGINIA.**7. X.**

No debt shall be contracted by this State except to meet casual deficits in the revenue, to redeem a previous liability of the State, to suppress insurrection, repel invasion, or defend the State in time of war.

WASHINGTON.**1. III.**

The State may, to meet casual deficits or failures in revenue, or for expenses not provided for, contract debts, but such debts, direct and contingent, singly or in the aggregate, shall not at any time exceed four hundred thousand dollars (\$400,000), and the moneys arising from the loans creating such debts shall be applied to the purpose for which they were obtained or to repay the debts so contracted, and to no other purpose whatever.

3. VIII.

Except the debts specified in sections one and two of this article, no debts shall hereafter be contracted by or on behalf of this State, unless such debt

Sec. Art

shall be authorized by law for some single work or object, to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of the interest on such debt as it falls due, and also to pay and discharge the principal of such debt within twenty years from the time of contracting thereof. No such law shall take effect until it shall, at a general election, have been submitted to the people and have received a majority of all the votes cast for and against it at such election, and all moneys raised by authority of such law shall be applied only to the specific object therein stated, or to the payment of the debt thereby created, and such law shall be published in at least one newspaper in each county, if one be published therein, throughout the State, for three months next preceding the election at which it is submitted to the people.

WEST VIRGINIA.**4. X.**

No debt shall be contracted by this State, except to meet casual deficits in the revenue, to redeem a previous liability of the State, to suppress insurrection, repel invasion or defend the State in time of war; but the payment of any liability other than that for the ordinary expenses of the State shall be equally distributed over a period of at least twenty years.

WISCONSIN.**4. VIII.**

The State shall never contract any public debt, except in the cases and manner herein provided.

Power to Contract Debts.

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6. VIII.

For the purpose of defraying extraordinary expenditures, the State may contract public debts; but such debts shall never, in the aggregate, exceed one hundred thousand dollars. Every such debt shall be authorized by law, for some purpose or purposes to be distinctly specified therein; and the vote of a majority of all the members elected to each house, to be taken by yeas and nays, shall be necessary to the passage of such law; and every such law shall provide for levying an annual tax sufficient to pay the annual interest of such debt, and the principal within five years from the passage of such law, and shall specially appropriate the proceeds of such taxes to the payment of such principal and interest; and such appropriation shall not be repealed, nor the taxes be postponed or diminished, until the principal and in-

Sec. Art.

terest of such debt shall have been wholly paid.

7. VIII.

The Legislature may also borrow money to repel invasion, suppress insurrection, or defend the State in time of war; but the money thus raised shall be applied exclusively to the object for which the loan was authorized or to the repayment of the debt thereby created.

10. VIII.

The State shall never contract any debt for works of internal improvement, or be a party in carrying on such works; but whenever grants of land or other property shall have been made to the State, especially dedicated by the grant to particular works of internal improvement, the State may carry on such particular works, and shall devote thereto the avails of such grants, and may pledge or appropriate the revenues derived from such works in aid of their completion.

DEBTS TO REPEL INVASION.

1 Sec. 3. In addition to the above limited power to con-
 2 tract debts, the State may contract debts to repel invasion,
 3 suppress insurrection, or defend the State in war; but the
 4 money arising from the contracting of such debts shall be
 5 applied to the purpose for which it was raised, or to repay
 6 such debts, and to no other purpose whatever.

Sec. Art.**ALABAMA.****3. XI.**

After the ratification of this Constitution, no new debt shall be created against, or incurred by this State or its authority, except to repel invasion, or suppress insurrection, and then only by a concurrence of two-thirds of the members of each house of the General Assembly, and the vote shall be taken by yeas and nays, and entered on the journals; and any act creating or incurring any new debt against this State, except as herein provided for, shall be absolutely void: Provided, The Governor may be authorized to negotiate temporary loans, never to exceed one hundred thousand dollars, to meet deficiencies in the treasury; and until the same is paid, no new loan shall be negotiated: Provided, further, That this section shall not be so construed as to prevent the issuance of bonds in adjustment of the existing State indebtedness.

ARKANSAS.**31. V.**

No State tax shall be allowed, or appropriation of money made.

Sec. Art.

except to raise means for the payment of the just debts of the State, for defraying the necessary expenses of government, to sustain common schools, to repel invasion, and suppress insurrection, except by a majority of two-thirds of both houses of the General Assembly.

12. XII.

Except as herein otherwise provided, the State shall never assume or pay the debt or liability of any county, town, city or other corporation whatever, or any part thereof, unless such debt or liability shall have been created to repel invasion, suppress insurrection or to provide for the public welfare and defense. Nor shall the indebtedness of any corporation to the State ever be released or in any manner discharged save by payment into the public treasury.

FLORIDA.**6. IX.**

The Legislature shall have power to provide for issuing State bonds only for the purpose of repelling invasion or suppressing insurrection, or for the purpose of redeeming or refunding

Debts to Repel Invasion.

Sec. Art.

bonds already issued, at a lower rate of interest.

8. VII.

GEORGIA.

Par. I. The State shall not assume the debt, nor any part thereof, of any county, municipal corporation, or political division of the State, unless such debt shall be contracted to enable the State to repel invasion, suppress insurrection, or defend itself in time of war.

12. VII.

Par. I. The bonded debt of the State shall never be increased, except to repel invasion, suppress insurrection, or defend the State in time of war.

11. VII.

IDAHO.

No appropriation shall be made, nor the expenditure authorized by the Legislature, whereby the expenditure of the State during any fiscal year shall exceed the total tax then provided for by law, and applicable to such appropriation or expenditure unless the Legislature making such appropriation shall provide for levying a sufficient tax, not exceeding the rates allowed in section nine (9) of this article, to pay such appropriation or expenditure within such fiscal year. This provision shall not apply to appropriations or expenditures to suppress insurrection, defend the State, or assist in defending the United States in time of war.

3. XII.

The State shall never assume the debts of any county, town, or other municipal corporation, unless such debts shall have been created to repel invasion, suppress insurrection or defend the State in war.

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IOWA.

4. VII.

In addition to the above limited power to contract debts, the State may contract debts to repel invasion, suppress insurrection, or defend the State in war; but the money arising from the debts so contracted shall be applied to the purpose for which it was raised, or to repay such debts, and to no other purpose whatever.

KANSAS.

7. XI.

The State may borrow money to repel invasion, suppress insurrection, or defend the State in time of war; but the money thus raised, shall be applied exclusively to the object for which the loan was authorized, or to the repayment of the debt thereby created.

KENTUCKY.

176.

The Commonwealth shall not assume the debt of any county, municipal corporation or political subdivision of the State, unless such debt shall have been contracted to defend itself in time of war, to repel invasion or to suppress insurrection.

LOUISIANA.

44.

The General Assembly shall have no power to contract or to authorize the contracting, of any debt or liability, on behalf of the State, or to issue bonds or other evidence of indebtedness thereof, except for the purpose of repelling invasion or for the suppression of insurrection.

MAINE.

15. IX.

The State is authorized to issue bonds payable within twenty-one years, at a rate of interest

Debts to Repel Invasion.

Sec. Art.

not exceeding six per cent a year, payable semi-annually, which bonds or their proceeds shall be devoted solely towards the reimbursement of the expenditures incurred by the cities, towns and plantations of the State for war purposes during the rebellion, upon the following basis: Each city, town and plantation shall receive from the State one hundred dollars for every man furnished for the military service of the United States under and after the call of July second, eighteen hundred and sixty-two, and accepted by the United States towards its quota for the term of three years, and in the same proportion for every man so furnished and accepted for any shorter period; and the same shall be in full payment for any claim upon the State on account of its war debts by any such municipality. A commission appointed by the Governor and Council shall determine the amount to which each city, town and plantation is entitled; to be devoted to such reimbursement, the surplus, if any, to be apportioned to the soldiers who enlisted or were drafted and went at any time during the war, or if deceased to their legal representatives. The issue of bonds hereby authorized shall not exceed in the aggregate three millions five hundred thousand dollars, and this amendment shall not be construed to permit the credit of the State to be directly or indirectly loaned in any other case or for any other purpose.

4. XIV. MICHIGAN.

The State may contract debts to repel invasion, suppress insur-

Sec. Art.

rection, or defend the State in time of war. The money arising from the contracting of such debts shall be applied to the purposes for which it was raised, or to repay such debts.

MINNESOTA.

7. IX.

The State shall never contract any public debt, unless in time of war, to repel invasion or suppress insurrection, except in the cases and in the manner provided in the fifth and sixth sections of this article.

NEVADA.

4. VI.

The State shall never assume the debts of any county, town, or city, or other corporation whatever, unless such debts have been created to repel invasion, suppress insurrection, or to provide for the public defense.

NEW JERSEY.

4. IV.

The Legislature shall not, in any manner, create any debt or debts, liability or liabilities, of the State which shall, singly or in the aggregate with any previous debts or liabilities, at any time exceed one hundred thousand dollars, except for purposes of war, or to repel invasion, or to suppress insurrection, unless the same shall be authorized by a law for some single object or work, to be distinctly specified therein; which law shall provide the ways and means, exclusive of loans, to pay the interest of such debt or liability as it falls due, and also to pay and discharge the principal of such debt or liability within thirty-five years from the time of the contracting thereof, and shall be irrevocable until such debt or liability, and the interest thereon, are fully

Debts to Repel Invasion.

Sec. Art.

paid and discharged; and no such law shall take effect until it shall, at a general election, have been submitted to the people, and have received the sanction of a majority of all the votes cast for and against it at such election; and all money to be raised by the authority of such law shall be applied only to the specific object stated therein, and to the payment of the debt thereby created. This section shall not be construed to refer to any money that has been, or may be, deposited with this State by the government of the United States.

2. VIII.

OHIO.

In addition to the above limited power, the State may contract debts to repel invasion, suppress insurrection, defend the State in war, or to redeem the present outstanding indebtedness of the State; but the money arising from the contracting of such debts shall be applied to the purpose for which it is raised, or to repay such debts, and to no other purpose whatever; and all debts incurred to redeem the present outstanding indebtedness of the State, shall be so contracted as to be payable by the sinking fund, hereinafter provided for, as the same shall accumulate.

5. VIII.

The State shall never assume the debts of any county, city, town or township, or of any corporation whatever, unless such debt shall have been created to repel invasion, suppress insurrection or defend the State in war.

OREGON.

3. XI.

The State shall never assume the debt of any county, town, or other corporation whatever, un-

Sec. Art.

less such debts shall have been created to repel invasion, suppress insurrection, or defend the State in war.

10. XI.

No county shall create any debts or liabilities which shall singly, or in the aggregate, exceed the sum of five thousand dollars, except to suppress insurrection, or repel invasion; but the debts of any county, at the time this Constitution takes effect, shall be disregarded in estimating the sum to which such county is limited.

PENNSYLVANIA.

9. IX.

The commonwealth shall not assume the debt, or any part thereof, of any city, county, borough or township, unless such debt shall have been contracted to enable the State to repel invasion, suppress domestic insurrection, defend itself in time of war, or to assist the State in the discharge of any portion of its present indebtedness.

RHODE ISLAND.

13. IV.

The General Assembly shall have no power, hereafter, without the express consent of the people, to incur State debts to an amount exceeding fifty thousand dollars, except in time of war, or in case of insurrection or invasion; nor shall they in any case, without such consent, pledge the faith of the State for the payment of the obligations of others. This section shall not be construed to refer to any money that may be deposited with this State by the government of the United States.

WASHINGTON.

2. VIII.

In addition to the above limited power to contract debts, the

Debts to Repel Invasion.

Sec. Art.

State may contract debts to repel invasion, suppress insurrection or to defend the State in war, but the money arising from the contracting of such debts shall be applied to the purpose for which it was raised, and to no other purpose whatever.

WYOMING.**1. XVI.**

The State of Wyoming shall not, in any manner, create indebtedness exceeding one per centum on the assessed value of the taxable property in the State, as

Sec. Art

shown by the last general assessment for taxation, preceding; except to suppress insurrection or to provide for the public defense.

2. XVI.

No debt in excess of the taxes for the current year, shall in any manner be created in the State of Wyoming, unless the proposition to create such debt shall have been submitted to a vote of the people and by them approved; except to suppress insurrection or to provide for the public defense.

LIMITATION OF LEGISLATIVE POWER IN THE CREATION OF DEBTS.

1 Sec. 4. Except the debts specified in sections two and
2 three of this article, 'no debts shall hereafter be contracted by
3 or on behalf of this State, unless such debt shall be author-
4 ized by a law, for some single work or object, to be distinctly
5 specified therein; and such law shall impose and provide for
6 the collection of a direct annual 'tax to pay, and sufficient to
7 pay the interest on such debt as it falls due, and also to pay
8 and discharge the principal of such 'debt within eighteen years
9 from the time of the contracting thereof. No such law shall
10 take 'effect until it shall, at a general election, have been sub-
11 mitted to the people, and have received a majority of all the
12 votes cast for and against 'it at such election. On the final
13 passage of such bill in either house of the Legislature, the
14 question shall 'be taken by ayes and noes, to be duly entered
15 on the journals thereof, and shall be: "Shall this bill pass,
16 and ought the same to receive the sanction of the people?"

17 The Legislature may at any time, after the approval of such
18 law by the people, if no debt shall have been contracted in pur-
19 suance thereof, repeal the same; and may at any time, by law,
20 forbid the contracting of 'any further debt or liability under such
21 law; but the tax imposed by such act, in proportion to the
22 debt and 'liability which may have been contracted, in pursu-

Limitation of Legislative Power, etc.

23 ance of such law, shall remain in force and be irrevocable,
24 and be annually collected, until the proceeds thereof shall have
25 made the provision hereinbefore specified to pay and dis-
26 charge the interest and principal of such debt and liability.
27 The money arising from any loan or stock creating such debt
28 or liability shall be applied to the work or object specified in
29 the act authorizing such debt or liability, or for the repayment
30 of such debt or liability, and for no other purpose whatever.
31 No such law shall be submitted to be voted on, within three
32 months after its passage, or at any general election when any
33 other law, or any bill, or any amendment to the Constitution,
34 shall be submitted to be voted for or against.

Sec. Art.

MONTANA.**2. XIII.**

The Legislative Assembly shall not in any manner create any debt except by law which shall be irrevocable until the indebtedness therein provided for shall have been fully paid or discharged; such law shall specify the purpose to which the funds so raised shall be applied and provide for the levy of a tax sufficient to pay the interest on, and extinguish the principal of such debt within the time limited by such law for the pay-

Sec. Art.

ment thereof; but no debt or liability shall be created which shall singly, or in the aggregate with any existing debt or liability, exceed the sum of one hundred thousand dollars (\$100,000) except in case of war, to repel invasion or suppress insurrection, unless the law authorizing the same shall have been submitted to the people at a general election and shall have received a majority of the votes cast for and against it at such election.

Sinking Funds.

SINKING FUNDS

1 Sec. 5. The sinking funds provided for the payment
2 of interest and the extinguishment of the principal of the
3 debts of the State shall be separately kept and safely invested,
4 and neither of them shall be appropriated or used in any man-
5 ner other than for the specific purpose for which it shall have
6 been provided.

Claims

CLAIMS.

1 Sec. 6. Neither the Legislature, canal board, nor any
2 person or persons acting in behalf of the State, shall audit,
3 allow, or pay any claim which, as between citizens of the State,
4 would be barred by lapse of time. This provision shall not
5 be construed to repeal any statute fixing the time within which
6 claims shall be presented or allowed, nor shall it extend to
7 any claims duly presented within the time allowed by law,
8 and prosecuted with due diligence from the time of such pre-
9 sentment. But if the claimant shall be under legal disability,
10 the claim may be presented within two years after such dis-
11 ability is removed.

Sec. Art.**52. III. MARYLAND.**

The General Assembly shall appropriate no money out of the treasury for the payment of any private claim against the State exceeding

Sec. Art.

three hundred dollars, unless said claim shall have been first presented to the comptroller of the treasury, together with the proofs upon which the same is founded, and reported upon by him.

Forest Preserve.

FOREST PRESERVE.

1 Sec. 7. The lands of the State, now owned or hereafter
2 acquired, constituting the forest preserves as now fixed by law,
3 shall be 'forever kept as wild forest lands. They shall not be
4 leased, sold or exchanged, or be taken by any corporation,
5 public or private, nor shall the timber thereon be sold, removed
6 or destroyed.

CERTAIN CANALS NOT TO BE LEASED OR SOLD.

1 Sec. 8. The Legislature shall not sell, lease or other-
2 wise dispose of the Erie canal, the Oswego canal, the Cham-
3 plain canal, the 'Cayuga and Seneca canal, or the Black River
4 canal; but they shall remain the property of the State and
5 under its management forever. The prohibition of lease, sale
6 or other disposition herein contained, shall not apply to the
7 canal known as the Main and Hamburg street canal, situated
8 in the city of Buffalo, and which extends easterly from the
9 westerly line of Main street to the westerly line of Hamburg
10 street. All funds that may be derived from any lease, sale or
11 other disposition of any canal shall be applied to the improve-
12 ment, superintendence or repair of the remaining portion of
13 the canals.

Sec. Art.**LOUISIANA.**

Art. 180. The New Basin Canal and Shell Road and their appurtenances shall not be leased or alienated.

The General Assembly, at its first session after the ratification of this Constitution, shall provide by law for a superintendent to be appointed by the Governor, upon the recommendation of the captains and owners of vessels plying in, and of merchants doing business on, said canal, to manage the same; and shall enact laws for the regulation, maintenance and management

Sec. Art.

of said canal and Shell road: Provided, Dues shall not exceed ten cents per ton on the measurement tonnage of all vessels entering therein. The depth of water in the canal basin and on the bar at the mouth shall be kept at the depth of at least eight feet: Provided, That all expenses of improving and maintaining said canal, Shell road and appurtenances, including the wages and salaries of employes, shall be paid out of the revenues thereof, and not otherwise.

Maintenance of Canals.

MAINTENANCE OF CANALS.

1 Sec. 9. No tolls shall hereafter be imposed on persons
 2 or property transported on the canals, but all boats navigating
 3 the canals, and the owners and masters thereof, shall be sub-
 4 ject to such laws and regulations as have been or may here-
 5 after be enacted concerning the navigation of the canals.
 6 The Legislature shall annually, by equitable taxes, make pro-
 7 vision for the expenses of the superintendence and repairs of
 8 the canals. All contracts for work or materials on any canal
 9 shall be made with the persons who shall offer to do or provide
 10 the same at the lowest price, with adequate security for their
 11 performance. No extra compensation shall be made to any
 12 contractor; but if, from any unforeseen cause, the terms of
 13 any contract shall prove to be unjust and oppressive, the canal
 14 board may, upon the application of the contractor, cancel such
 15 contract.

Sec. Art.

MISSISSIPPI.

Levees.

227. XI.

A levee system shall be main-
 tained in the State as provided
 in this article.

228. XI.

The division heretofore made by
 the Legislature of the alluvial
 land of the State into two levee
 districts, viz.: The Yazoo-Mis-
 sissippi Delta Levee District,
 and the Mississippi Levee Dis-
 trict, as shown by the laws

Sec. Art.

creating the same, and the
 amendments thereto, is hereby
 recognized, and said districts
 shall so remain until changed
 by law; but the Legislature may
 hereafter add to either of said
 districts and other alluvial
 land in the State.

229. XI.

There shall be a board of levee
 commissioners for the Yazoo-
 Mississippi Delta Levee Dis-
 trict, which shall consist of two
 members from each of the coun-

Maintenance of Canals.

Sec. Art.

ties of Coahoma and Tunica, and one member from each of the remaining counties or parts of counties, now or hereafter embraced within the limits of said district, and the Governor may appoint a stockholder in the Louisville, New Orleans and Texas Railway Company as an additional commissioner; and there shall also be a board of levee commissioners for the Mississippi Levee District, which shall consist of two members from each of the counties of Bolivar and Washington, and one from each of the counties of Issaquena and Sharkey. In the event of the formation of a new county or counties out of the territory embraced in either or both of said levee districts such new counties shall each be entitled to representation and membership in the proper board or boards.

230. XI.

All of said commissioners shall be qualified electors of the respective counties or parts of counties from which they may be chosen, except the one selected for the Louisville, New Orleans and Texas Railway Company; and the Legislature shall provide that they shall each give bond for the faithful performance of his duties, and shall fix the penalty thereof; but the penalty of such bond in no instance shall be fixed at less than \$10,000, and the sureties thereon shall be freeholders of the district.

231. XI.

When the terms of the present levee commissioners shall expire, or whenever a vacancy shall occur or about to occur in either of said boards, the Governor shall make appointments to fill vacancies, subject

Sec. Art.

to the confirmation of the Senate. The terms of office of said commissioners shall remain as provided by law at the adoption of this Constitution, but this provision shall not require the appointment of a commissioner for the Louisville, New Orleans and Texas Railway Company, except in the discretion of the Governor as provided.

232. XI.

The commissioners of said levee districts shall have supervision of the erection, repair and maintenance of the levees in their respective districts.

233. XI.

The levee boards shall have and are hereby granted authority and full power to appropriate private property in their respective districts for the purpose of constructing, maintaining and repairing levees therein; and when any owner of land, or any other person interested therein, shall object to the location or building of the levee thereon, or shall claim compensation for any land that may be taken, or for any damages he may sustain in consequence thereof, the president or other proper officer or agent of such levee board, or owner of such land, or other person interested therein, may forthwith apply for an assessment of the damages to which said person claiming the same may be entitled, whereupon the proceedings as now provided by law shall be taken, viz.: In the Mississippi Levee District, in accordance with the terms and provisions of section 3 of an act entitled "An act to amend an act to incorporate the Board of Levee Commissioners for Bolivar, Washington and Issaquena

Maintenance of Canals.

Sec. Art.

counties, and for other purposes," approved November 27, A. D. 1865, and to revise acts amendatory thereof, approved March 13, A. D. 1884; and in the Yazoo-Mississippi Delta Levee District, in accordance with the terms and provisions of section three of an act entitled "An act to incorporate the board of levee commissioners for the Yazoo-Mississippi Delta and for other purposes," approved February 28, A. D. 1884, and the amendments thereto; but the Legislature shall have full power to alter or amend said several acts, and to provide different manners of procedure.

234. XI.

No bill changing the boundaries of the district or affecting the taxation or revenue of the Yazoo-Mississippi Delta Levee District, or the Mississippi Levee District, shall be considered by the Legislature unless said bill shall have been published in some newspaper in the county in which is situated the domicile of the board of levee commissioners of the levee district to be affected thereby, for four weeks prior to the introduction thereof into the Legislature; and no bill shall be considered for final passage by either the Senate or House of Representatives, unless the same shall have been referred to, and reported on, by an appropriate committee of each house in which the same may be pending; and no such committee shall consider or report on any such bills unless publication thereof shall have been made as aforesaid.

235. XI.

Each levee board shall make at the end of each fiscal year, to the Governor of this State, a report

Sec. Art.

showing the condition of the levees, and recommending such additional legislation on the subject of the system as shall be thought necessary and showing the receipts and expenditures of the board, so that each item, the amount and consideration therefor, shall distinctly appear, together with such other matters as it shall be thought proper to call to the attention of the Legislature.

236. XI.

The Legislature shall impose for levee purposes, in addition to the levee taxes heretofore levied or authorized by law, a uniform tax of not less than two nor more than five cents an acre per annum, upon every acre of land now or hereafter, embraced within the limits of either, or both, of said levee districts. The taxes so derived shall be paid into the treasury of the levee board of the district in which the land charged with the same is situated; and the Legislature, by the act imposing said tax, shall authorize said levee boards to fix the annual rate of taxation per acre within the limits aforesaid, and thereby require said levee boards, whenever a reduction is made by them in their other taxes, to make a proportionate reduction in the acreage tax hereinbefore mentioned; but said acreage tax shall not be reduced below two cents an acre per annum; and all reductions in such taxations shall be uniform in each of said districts; but the rate of taxation need not be the same in both of them; and such specific taxes shall be assessed on the same assessment-roll, and collected under the same penalties as the ad valorem taxes for levee pur-

Maintenance of Canals.

Sec. Art.

poses, and shall be paid at the same time with the latter. And no levee board shall ever be permitted to buy lands when sold for taxes; but the Senate shall have a prior lien for the taxes due hereto. The Legislature may provide for the discontinuance of the tax on cotton, but not in such manner as to affect outstanding bonds based on it, and on the discontinuance of the tax on cotton, shall impose another tax in lieu thereof, but the Legislature may repeal the acreage tax required to be levied hereby, after the first day of January, A. D. 1895.

237. XI.

The Legislature shall have full power to provide such system of taxation for said levee dis-

Sec. Art.

tricts as it shall from time to time deem wise and proper.

238. XI.

No property situated between the levee and the Mississippi river shall be taxed for levee purposes, nor shall damage be paid to any owner of land so situated because of it being left outside a levee.

239. XI.

The Legislature shall require the levee boards to publish at each of their sessions an itemized account embracing their respective receipts since the prior session, and such appropriations as have been made or ordered by them respectively, in some newspaper or newspapers of the district.

Improvement of Canals.

IMPROVEMENT OF CANALS.

- 1 Sec. 10. The canals may be improved in such manner
 2 as the Legislature shall provide by law. A debt may be
 3 authorized for that purpose in the mode prescribed by section
 4 four of this article, or the cost of such improvement may be
 5 defrayed by the appropriation of funds from the State treasury,
 6 or by equitable annual tax.

Sec. Art.

GEORGIA.**14. VII.**

Par. I. The General Assembly shall raise, by taxation, each year, in addition to the sum required to pay the public expenses and interest on the public debt, the sum of one hundred thousand dollars, which shall be held as a sinking fund, to pay off and retire the bonds of the State which have not yet matured, and shall be applied to no other purpose whatever. If the bonds cannot at any time be purchased at or below par, then the sinking fund herein provided for may be loaned by the Governor and Treasurer of the State: Provided, The security which shall be demanded for said loan shall consist only of the valid bonds of the State; but this section shall not take effect until the eight per cent currency bonds, issued under the act of February the 19th, 1873, shall have been paid.

INDIANA.**2. X.**

All the revenues derived from the sale of any of the public works belonging to the State, and from

Sec. Art.

the net annual income thereof, and any surplus that may, at any time, remain in the treasury derived from taxation for general State purposes, after the payment of the ordinary expenses of the government, and of the interest on bonds of the State, other than bank bonds, shall be annually applied, under the direction of the General Assembly, to the payment of the principal of the public debt.

MICHIGAN.**1. XIV.**

All specific State taxes, except those received from the mining companies of the Upper Peninsula, shall be applied in paying the interest upon the primary school, university and other educational funds, and the interest and principal of the State debt in the order herein recited, until the extinguishment of the State debt, other than the amount due to educational funds, when such specific taxes shall be added to and constitute a part of the primary school interest fund. The Legislature shall provide for an annual tax,

Improvement of Canals.

Sec. Art.

sufficient, with other resources, to pay the estimated expenses of the State government, the interest of the State debt, and such deficiency as may occur in the resources.

2. XIV.

The Legislature shall provide by law a sinking fund of at least twenty thousand dollars a year, to commence in eighteen hundred and fifty-two, with compound interest at the rate of six per cent per annum, and an annual increase of at least five per cent, to be applied solely to the payment and extinguishment of the principal of the State debt, other than the amounts due to educational funds, and shall be continued until the extinguishment thereof. The unfunded debt shall not be funded or redeemed at a value exceeding that established by law in one thousand eight hundred and forty-eight.

MONTANA.

1. XII.

The necessary revenue for the support and maintenance of the State shall be provided by the Legislative Assembly, which shall levy a uniform rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, except that specially provided for in this article. The Legislative Assembly may also impose a license tax, both upon persons and corporations doing business in the State.

OHIO.

7. VIII.

The faith of the State being pledged for the payment of its public debt, in order to provide therefor, there shall be created a sinking fund, which shall be

Sec. Art

sufficient to pay the accruing interest on such debt, and annually to reduce the principal thereof by a sum not less than one hundred thousand dollars, increased yearly, and each and every year, by compounding, at the rate of six per cent per annum. The said sinking fund shall consist of the net annual income of the public works and stocks owned by the State, of any other funds or resources that are, or may be, provided by law, and of such further sum, to be raised by taxation, as may be required for the purposes aforesaid.

9. VIII.

The commissioners of the sinking fund shall, immediately preceding each regular session of the General Assembly, make an estimate of the probable amount of the fund provided for in the seventh section of this article, from all sources except from taxation, and report the same, together with all their proceedings relative to said fund and the public debt, to the Governor, who shall transmit the same with his regular message to the General Assembly; and the General Assembly shall make all necessary provision for raising and disbursing said sinking fund, in pursuance of the provisions of this article.

10. VIII.

It shall be the duty of the said commissioners faithfully to apply said fund, together with all moneys that may be, by the General Assembly, appropriated to that object, to the payment of the interest, as it becomes due, and the redemption of the principal of the public debt of the State, excepting only the school and trust funds held by the State.

Improvement of Canals.

Sec. Art.

4. XII.

The General Assembly shall provide for raising revenue sufficient to defray the expenses of the State for each year, and also a sufficient sum to pay the interest on the State debt.

OREGON.

2. IX.

The Legislative Assembly shall provide for raising revenue sufficient to defray the expenses of the State for each fiscal year, and also a sufficient sum to pay the interest on the State debt, if there be any.

6. IX.

Whenever the expenses of any fiscal year shall exceed the income, the Legislative Assembly shall provide for levying a tax for the ensuing fiscal year, sufficient, with other sources of income, to pay the deficiency, as well as the estimated expense of the ensuing fiscal year.

PENNSYLVANIA.

11. IX.

To provide for the payment of the present State debt, and any additional debt contracted as aforesaid, the General Assembly shall continue and maintain the sinking fund, sufficient to pay the accruing interest on such debt, and annually to reduce the principal thereof by a sum not less than two hundred and fifty thousand dollars; the said sinking fund shall consist of the proceeds of the sales of the public works or any part thereof, and of the

Sec Art.

Income or proceeds of the sale of any stocks owned by the Commonwealth, together with other funds and resources that may be designated by law, and shall be increased from time to time by assigning to it any part of the taxes or other revenues of the State not required for the ordinary and current expenses of government; and unless in case of war, invasion or insurrection, no part of the said sinking fund shall be used or applied otherwise than in the extinguishment of the public debt.

12. IX.

The moneys of the State, over and above the necessary reserve, shall be used in the payment of the debt of the State, either directly or through the sinking fund, and the moneys of the sinking fund shall never be invested in or loaned upon the security of anything except the bonds of the United States or of this State.

VIRGINIA.

8. X.

The General Assembly shall provide by law a sinking fund, to be applied solely to the payment and extinguishment of the principal of the State debt, which sinking fund shall be continued until the extinguishment of such State debt; and every law hereafter enacted by the General Assembly creating a debt or authorizing a loan shall provide a sinking fund for the payment of the same.

GENERAL PROVISIONS.

Sec. Art.

ARKANSAS.**8. XII.**

No private corporation shall issue stocks or bonds except for money or property actually received or labor done, and all fictitious increase of stock or indebtedness shall be void; nor shall the stock or bonded indebtedness of any private corporation be increased, except in pursuance of general laws, nor until the consent of the persons holding the larger amount in value of stock shall be obtained at a meeting held after notice given for a period not less than sixty days, in pursuance of law.

COLORADO.**2.**

The General Assembly shall provide by law for an annual tax sufficient, with other resources, to defray the estimated expenses of the State government for each fiscal year.

GEORGIA.**13. VII.**

Par. I. The proceeds of the sale of the Western and Atlantic, Macon and Brunswick, or other railroads, held by the State, and any other property owned by the State, whenever the General Assembly may authorize the sale of the whole, or any part thereof, shall be applied to the payment of the bonded debt of the State, and shall not be used for any other purpose whatever, so long as the State has any existing bonded debt: Provided, That the proceeds of the sale of the Western and Atlantic Railroad shall be applied to the payment of the bonds for

Sec. Art.

which said railroad has been mortgaged, in preference to all other bonds.

IDAHO.**1. VII.**

The fiscal year shall commence on the second Monday of January in each year, unless otherwise provided by law.

KENTUCKY.**48.**

The General Assembly shall have no power to enact laws to diminish the resources of the sinking fund as now established by law until the debt of the Commonwealth be paid, but may enact laws to increase them; and the whole resources of said fund, from year to year, shall be sacredly set apart and applied to the payment of the interest and principal of the State debt, and to no other use or purpose, until the whole debt of the State is fully satisfied.

MISSISSIPPI.**69. IV.**

General appropriation bills shall contain only the appropriations to defray the ordinary expenses of the executive, legislative and judicial departments of the government, to pay interest on State bonds, and to support the common schools. All other appropriations shall be made by separate bills, each embracing but one subject. Legislation shall not be engrafted on appropriation bills, but the same may prescribe the conditions on which the money may be drawn, and for what purpose paid.

General Provisions.

Sec. Art.

MONTANA.**21. V.**

No bill for the appropriation of money, except for the expenses of the government, shall be introduced within ten days of the close of the session, except by unanimous consent of the house in which it is sought to be introduced.

9. XII.

The rate of taxation of real and personal property for State purposes in any one year shall never exceed three (3) mills on each dollar of valuation; and whenever the taxable property in the State shall amount to one hundred million dollars (\$100,000,000), the rate shall not exceed two and one-half (2½) mills on each dollar of valuation; and whenever the taxable property in the State shall amount to three hundred million dollars (\$300,000,000) the rate shall never thereafter exceed one and one-half (1½) mills on each dollar of valuation; unless a proposition to increase such rate, specifying the rate proposed and the time during which the same shall be levied, shall have been submitted to the people at a general election, and shall have received a majority of all the votes cast for and against it at such election.

12. XII.

No appropriation shall be made or any expenditures authorized by the Legislative Assembly whereby the expenditures of the State during any fiscal year shall exceed the total tax then provided for by law, and applicable to such appropriation, or expenditure, unless the Legislative Assembly making such appropriation shall provide for levying a sufficient

Sec. Art.

tax, not exceeding the rate allowed in section nine (9) of this article, to pay such appropriations or expenditures within such fiscal year. This provision shall not apply to appropriation or expenditures to suppress insurrection, defend the State, or assist in defending the United States in time of war. No appropriation of public moneys shall be made for a longer term than two years.

NORTH DAKOTA.**174. XI.**

The Legislative Assembly shall provide for raising revenue sufficient to defray the expenses of the State for each year, not to exceed in any one year four (4) mills on the dollar of the assessed valuation of all taxable property in the State, to be ascertained by the last assessment made for State and county purposes, and also a sufficient sum to pay the interest on the State debt.

OHIO.**8. VIII.**

The Auditor of State, Secretary of State and Attorney-General are hereby created a board of commissioners, to be styled, "The Commissioners of the Sinking Fund."

WASHINGTON.**1. VII.**

All property in the State, not exempt under the laws of the United States, or under this Constitution, shall be taxed in proportion to its value to be ascertained as provided by law. The Legislature shall provide by law for an annual tax sufficient, with other sources of revenue, to defray the estimated ordinary expenses of the

General Provisions.

Sec. Art

State for each fiscal year.
And for the purpose of paying
the State debt, if there be any,
the Legislature shall provide
for levying a tax annually,

Sec. Art.

sufficient to pay the annual in-
terest and principle of such
debt within twenty years from
the final passage of the law
creating the debt.

Creation of Corporations.

ARTICLE VIII.

CREATION OF CORPORATIONS.

Section 1. Corporations may be formed under general laws; but shall not be created by special act, except for municipal purposes, and in cases where, in the judgment of the Legislature, the objects of the corporation cannot be attained under general laws. All general laws and special acts passed pursuant to this section may be altered from time to time or repealed.

Sec. Art.

ALABAMA.**1. XIV.**

Corporations may be formed under general laws, but shall not be created by special act, except for municipal, manufacturing, mining, immigration, industrial and educational purposes, or for constructing canals, or improving navigable rivers and harbors of this State, and in cases, where, in the judgment of the General Assembly, the objects of the corporation cannot be attained under the general laws. All general laws and special acts passed pursuant to this section may be altered, amended and repealed.

6. XII. ARKANSAS.

Corporations may be formed under general laws, which laws may, from time to time, be altered or repealed. The General Assembly shall have the power to alter, revoke or annul any charter of incorporation now existing and revokable at the adoption of this

Sec. Art.

Constitution, or any that may hereafter be created, whenever, in their opinion, it may be injurious to the citizens of this State, in such manner, however, that no injustice shall be done to the corporators.

CALIFORNIA.**6. XI.**

Corporations for municipal purposes shall not be created by special laws; but the Legislature, by general laws, shall provide for the incorporation, organization, and classification, in proportion to population, of cities and towns, which laws may be altered, amended, or repealed. Cities and towns heretofore organized or incorporated may become organized under such general laws whenever a majority of the electors voting at a general election shall so determine, and shall organize in conformity therewith; and all cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority

Creation of Corporations.

Sec. Art.

of this Constitution, shall be subject to and controlled by general laws.

1. XII.

Corporations may be formed under general laws, but shall not be created by special act. All laws now in force in this State concerning corporations, and all laws that may be hereafter passed pursuant to this section, may be altered from time to time or repealed.

ILLINOIS.

1. XI.

No corporation shall be created by special laws, or its charter extended, changed or amended, except those for charitable, educational, penal or reformatory purposes, which are to be and remain under the patronage and control of the State, but the General Assembly shall provide, by general laws, for the organization of all corporations hereafter to be created.

INDIANA.

13. XI.

Corporations, other than banking, shall not be created by special act, but may be formed under general laws.

IOWA.

1. VIII.

No corporation shall be created by special laws; but the General Assembly shall provide, by general laws, for the organization of all corporations hereafter to be created, excepted as herein after provided.

KANSAS.

1. XII.

The Legislature shall pass no special act conferring corporate powers. Corporations may be created under general laws; but all such laws may be amended or repealed.

Sec. Art.

LOUISIANA.

247.

General laws shall be enacted providing for the creation of private corporations, and shall therein provide fully for the adequate protection of the public and of the individual stockholder.

MAINE.

14. IV.

Corporations shall be formed under general laws, and shall not be created by special acts of the Legislature, except for municipal purposes, and in cases where the objects of the corporation cannot otherwise be attained; and, however formed, they shall forever be subject to the general laws of the State.

MARYLAND.

48. VIII.

Corporations may be formed under general laws, but shall not be created by special act, except in cases where no general laws exist, providing for the creation of corporations of the same general character as the corporation proposed to be created, and any act of incorporation passed in violation of this section shall be void; all charters granted or adopted in pursuance of this section, and all charters heretofore granted and created subject to repeal or modification, may be altered from time to time, or be repealed; provided, nothing herein contained shall be construed to extend to banks, or the incorporation thereof; the General Assembly shall not alter or amend the charter of any corporation existing at the time of the adoption of this article, or pass any other general or special law for the benefit of such corporation, except upon the condition that such corporation shall surrender all claims to ex-

Creation of Corporations.

Sec. Art.

emption from taxation or from the repeal or modification of its charter, and that such corporation shall thereafter hold its charter subject to the provisions of this Constitution; and any corporation chartered by this State which shall accept, use, enjoy or in anywise avail itself of all rights, privileges, or advantages that may hereafter be granted or conferred by any general or special act, shall be conclusively presumed to have thereby surrendered any exemption from taxation to which it may be entitled under its charter, and shall be thereafter subject to taxation as if no such exemption has been granted by its charter.

MICHIGAN.

1. XV.

Corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes. All laws passed pursuant to this section may be amended, altered or repealed. But the Legislature may, by a vote of two-thirds of the members elected to each house, create a single bank, with branches.

16. XV.

Previous notice of any application for an alteration of the charter of any corporation shall be given in such manner as may be prescribed by law.

MISSISSIPPI.

178. VII.

Corporations shall be formed under general laws only. The Legislature shall have power to alter, amend or repeal any charter of incorporation now existing, and revocable, and any that may hereafter be created, whenever, in its opinion, it may be for the public interest to do so: Provided, however, that no in-

Sec. Art.

justice shall be done to the stockholders. No charter for any private corporation for pecuniary gain shall be granted for a longer period than ninety-nine years. In assessing for taxation the property and franchises of corporations, having charters for a longer period than ninety-nine years, the increased value of such property and franchises arising from such longer duration of their charters shall be considered and assessed; but any such corporation shall have the right to surrender the excess over ninety-nine years of its charter.

MISSOURI.

2. XII.

No corporation, after the adoption of this Constitution, shall be created by special laws: nor shall any existing charter be extended, changed or amended by special laws, except those for charitable, penal or reformatory purposes, which are under the patronage and control of the State.

NEBRASKA.

1. XIII.

No corporation shall be created by special law, nor its charter extended, changed or amended, except those for charitable, educational, penal or reformatory purposes, which are to be and remain under the patronage and control of the State, but the Legislature shall provide by general laws for the organization of all corporations hereafter to be created. All general laws passed pursuant to this section may be altered from time to time, or repealed.

NEVADA.

1. VIII.

The Legislature shall pass no special act in any matter relat-

Creation of Corporations.

Sec. Art.

ing to corporate powers, except for municipal purposes; but corporations may be formed under general laws; and all such laws may from time to time be altered or repealed.

NORTH CAROLINA.**1. VIII.**

Corporations may be formed under the general laws, but shall not be created by special act, except for municipal purposes, and in cases where, in the judgment of the Legislature, the object of the corporation cannot be attained under general laws. All general laws and special acts, passed pursuant to this section, may be altered from time to time, or repealed.

NORTH DAKOTA.**131. VII.**

No charter of incorporation shall be granted, changed or amended by special law, except in the case of such municipal, charitable, educational, penal or reformatory corporations as may be under the control of the State; but the Legislative Assembly shall provide by general laws for the organization of all corporations hereafter to be created, and any such law, so passed, shall be subject to future repeal or alteration.

OHIO.**2. XIII.**

Corporations may be formed under general laws; but all such laws may, from time to time, be altered or repealed.

OREGON.**2. XI.**

Corporations may be formed under general laws, but shall not be created by special laws, except for municipal purposes. All laws passed pursuant to this sec-

Sec. Art.

tion may be altered, amended or repealed, but not so as to impair or destroy any vested corporate rights.

SOUTH CAROLINA.**1. II.**

Corporations may be formed under general laws, but all such laws may, from time to time, be altered or repealed.

SOUTH DAKOTA.**1. XVII.**

No corporation shall be created or have its charter extended, changed or amended by special laws except those for charitable, educational, penal or reformatory purposes, which are to be and remain under the patronage and control of the State; but the Legislature shall provide by general laws for the organization of all corporations hereafter to be created.

TENNESSEE.**8. X.**

The Legislature shall have no power to suspend any general law for the benefit of any particular individual, nor to pass any law for the benefit of individuals inconsistent with the general laws of the land; nor to pass any law granting to any individual or individuals, high privileges, immunities or exemptions, other than such as may be, by the same law extended to any member of the community who may be able to bring himself within the provisions of such law. No corporation shall be created, or its powers increased or diminished, by special laws; but the General Assembly shall provide, by general laws, for the organization of all corporations hereafter created, which laws may, at any time, be

Creation of Corporations.

Sec. Art.

altered or repealed; and no such alteration or repeal shall interfere with or divest rights which have become vested.

TEXAS.

1. XII.

No private corporation shall be created except by general laws.

2. XII.

General laws shall be enacted providing for the creation of private corporations, and shall therein provide fully for the adequate protection of the public and of the individual stockholders.

WASHINGTON.

1. XII.

Corporations may be formed under general laws, but shall not be created by special acts. All laws relating to corporations may be altered, amended or repealed by the Legislature at any time, and all corporations doing business in this State may, as to such business, be regulated, limited or restrained by law.

WEST VIRGINIA.

1. XI.

The Legislature shall provide for the organization of all corporations hereafter to be created, by general laws, uniform as to the class to which they relate; but no corporation shall be created by special law: Provided, That nothing in this section contained shall prevent the Legislature

Sec. Art.

from providing by special laws for the connection, by canal, of the waters of the Chesapeake with the Ohio river by line of the James river, Greenbrier, New river and Great Kanawha.

WISCONSIN.

1. XI.

Corporations without banking powers or privileges may be formed under general laws, but shall not be created by special act, except for municipal purposes, and in cases where, in the judgment of the Legislature, the objects of the corporation cannot be attained under general laws. All general laws or special acts enacted under the provisions of this section may be altered and repealed by the Legislature at any time after their passage.

WYOMING.

1. X.

The Legislature shall provide for the organization of corporations by general law. All laws relating to corporations may be altered, amended or repealed by the Legislature at any time when necessary for the public good and general welfare, and all corporations doing business in this State may as to such business be regulated, limited or restrained by law, not in conflict with the Constitution of the United States.

Debts of Corporations.

DEBTS OF CORPORATIONS.

- 1 Sec. 2. Dues from corporations shall be secured by
 2 such individual liability of the corporators and other means
 3 as may be prescribed by law.

Sec. Art.

ALABAMA.

8. XIV.

Dues from private corporations shall be secured by such means as may be prescribed by law, but in no case shall any stockholder be individually liable otherwise than for the unpaid stock owned by him or her.

CALIFORNIA.

2. XII.

Dues from corporations shall be secured by such individual liability of the corporators and other means as may be prescribed by law.

IDAHO.

17. XI.

Dues from private corporations shall be secured by such means as may be prescribed by law, but in no case shall any stockholder be individually liable in any amount over or above the amount of stock owned by him.

INDIANA.

14. XI.

Dues from corporations, other than banking, shall be secured by such individual liability of the corporators, or other means, as may be prescribed by law.

KANSAS.

2. XII.

Dues from corporations shall be secured by individual liability of the stockholders to an ad-

Sec. Art.

ditional amount equal to the stock owned by each stockholder; and such other means as shall be provided by law; but such individual liabilities shall not apply to railroad corporations, nor corporations for religious or charitable purposes.

MISSOURI.

9. XII.

Dues from private corporations shall be secured by such means as may be prescribed by law, but in no case shall any stockholder be individually liable for any amount over or above the amount of stock owned by him or her.

MONTANA.

19. XV.

Dues from private corporations shall be secured by such means as may be prescribed by law.

NEVADA.

3. VIII.

Dues from corporations shall be secured by such means as may be prescribed by law: Provided, That corporators in corporations formed under the laws of this State shall not be individually liable for the debts or liabilities of such corporations.

NORTH CAROLINA.

2. VIII.

Dues from corporations shall be secured by such individual liabilities of the corporations

Debts of Corporations.

Sec. Art.

and other means as may be prescribed by law.

OHIO.

8. XIII.

Dues from corporations shall be secured by such individual liability of the stockholders and other means, as may be prescribed by law; but in all cases each stockholder shall be liable, over and above the stock by

Sec. Art.

him or her owned, and any amount unpaid thereon, to a further sum at least equal in amount to such stock.

SOUTH CAROLINA.

4. XII.

Dues from corporations shall be secured by such individual liability of the stockholders and other means as may be prescribed by law.

Corporations Defined.

CORPORATIONS DEFINED.

1 Sec. 3. The term corporations as used in this article
 2 shall be construed to include all associations and joint-stock
 3 companies having any of the powers or privileges of corpora-
 4 tions not possessed by individuals or partnerships. And all
 5 corporations shall have the right to sue and shall be subject
 6 to be sued in all courts in like cases as natural persons.

Sec. Art.

ALABAMA.**12. XIV.**

All corporations shall have the right to sue, and shall be subject to be sued, in all courts in like cases as natural persons.

13. XIV.

The term corporation, as used in this article, shall be construed to include all joint stock companies, or any associations having any of the powers or privileges of corporations not possessed by individuals or partnerships.

4. XII. CALIFORNIA.

The term corporations, as used in this article, shall be construed to include all associations and joint-stock companies having any of the powers or privileges of corporations not possessed by individuals or partnerships, and all corporations shall have the right to sue and be subject to be sued, in all courts, in like cases as natural persons.

16. XII.

A corporation or association may be sued in the county where the contract is made or is to be performed, or where the obligation

Sec. Art.

or liability arises or the breach occurs; or in the county where the principal place of business of such corporation is situated, subject to the power of the court to change the place of trial, as in other cases.

IDAHO.**16. XI.**

The term "corporation" as used in this article, shall be held and construed to include all associations and joint-stock companies having or exercising any of the powers or privileges or corporations not possessed by individuals or partnerships.

KANSAS.**6. XII.**

The term corporations, as used in this article, shall include all associations and joint-stock companies having powers and privileges not possessed by individuals or partnerships; and all corporations may sue and be sued in their corporate name.

KENTUCKY.**208.**

The word corporation as used in this Constitution shall embrace

Corporations Defined.

Sec. Art.

joint-stock companies and associations.

LOUISIANA.**240.**

The term corporation, as used in this Constitution, shall be construed to include all joint-stock companies or associations having any power or privileges not possessed by individuals or partnerships.

MICHIGAN.**11. XV.**

The term "corporation," as used in the preceding sections of this article, shall be construed to include all associations and joint-stock companies having any of the powers or privileges of corporations, not possessed by individuals or partnerships. All corporations shall have the right to sue, and be subject to be sued in all courts, in like cases as natural persons.

MINNESOTA.**1. X.**

The term "corporations," as used in this article, shall be construed to include all associations and joint-stock companies having any of the powers and privileges not possessed by individuals or partnerships, except such as embrace banking privileges, and all corporations shall have the right to sue, and shall be liable to be sued in all courts, in like manner as natural persons.

MISSISSIPPI.**199. VII.**

The term corporation used in this article shall include all associations and all joint-stock companies for pecuniary gain, having privileges not possessed by individuals or partnerships.

MISSOURI.**11. XII.**

The term "corporation," as used

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in this article, shall be construed to include all joint-stock companies or associations having any powers or privileges not possessed by individuals or partnerships.

MONTANA.**18. XV.**

The term "corporation," as used in this article, shall be held and construed to include all associations and joint-stock companies, having or exercising any of the powers or privileges of corporations not possessed by individuals or partnerships; and all corporations shall have the right to sue, and shall be subject to be sued in all courts in like cases as natural persons, subject to such regulations and conditions as may be prescribed by law.

NEBRASKA.**3. XIII.**

All corporations may sue and be sued in like cases as natural persons.

NEVADA.**5. VIII.**

Corporations may sue and be sued in all courts, in like manner as individuals.

NORTH CAROLINA.**3. VIII.**

The term "corporation," as used in this article, shall be construed to include all associations and joint-stock companies, having any of the powers and privileges of corporations, not possessed by individuals or partnerships. And all corporations shall have the right to sue, and shall be subject to be sued in all courts, in like cases as natural persons.

NORTH DAKOTA.**144. VII.**

The term "corporation," as used in this article, shall not be understood as embracing munic-

Corporations Defined.

Sec. Art.

parties or political divisions of the State, unless otherwise expressly stated, but it shall be held and construed to include all associations and joint-stock companies having any of the powers or privileges of corporations not possessed by individuals or partnerships.

PENNSYLVANIA.

13. XVI.

The term "corporations," as used in this article, shall be construed to include all joint-stock companies or associations having any of the powers or privileges of corporations not possessed by individuals or partnerships.

SOUTH DAKOTA.

19. XVII.

The term "corporations," as used

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in this article, shall be construed to include all joint-stock companies or associations, having any of the powers or privileges of corporations not possessed by individuals or partnerships.

WASHINGTON.

5. XII.

The term corporations, as used in this article, shall be construed to include all associations and joint-stock companies having any powers or privileges of corporations not possessed by individuals or partnerships, and all corporations shall have the right to sue and shall be subject to be sued, in all courts, in like cases as natural persons.

 Charters for Banks.

CHARTERS FOR BANKS.

1 Sec. 4. The Legislature shall, by general law, conform
 2 all charters of savings banks, or institutions for savings, to a
 3 uniformity of powers, rights and liabilities, and all charters
 4 hereafter granted for such corporations shall be made to con-
 5 form to such general law, and to such amendments as may
 6 be made thereto. And no such corporation shall have any
 7 capital stock, nor shall the trustees thereof, or any of them,
 8 have any interest whatever, direct or indirect, in the profits of
 9 such corporation; and no director or trustee of any such
 10 bank or institution shall be interested in any loan or use of
 11 any money or property of such bank or institution for savings.
 12 The Legislature shall have no power to pass any act granting
 13 any special charter for banking purposes; but corporations or
 14 associations may be formed for such purposes under general
 15 laws.

Sec. Art.

ALABAMA.**15. XIV.**

No banks shall be established otherwise than under a general banking law, nor otherwise than on a specie basis.

CALIFORNIA.**5. XII.**

The Legislature shall have no power to pass any act granting any charter for banking purposes, but corporations or associations may be formed for such purposes under general laws. No corporation, association or indi-

Sec. Art.

vidual shall issue or put in circulation, as money, anything but the lawful money of the United States.

INDIANA.**2. XI.**

No bank shall be established otherwise than under a general banking law, except as provided in the fourth section of this article.

KANSAS.**1. XIII.**

No bank shall be established otherwise than under a general banking law.

Specie Payments.

SPECIE PAYMENTS.

- 1 Sec. 5. The Legislature shall have no power to pass
 2 any law sanctioning in any manner, directly or indirectly, the
 3 suspension of specie payments, by any person, association or
 4 corporation, issuing bank notes of any description.

Sec. Art.

ALABAMA.**16. XIV.**

All bills or notes issued as money, shall be at all times redeemable in gold or silver, and no law shall be passed sanctioning, directly or indirectly, the suspension of any bank or banking company of specie payment.

ILLINOIS.**7. XI.**

The suspension of specie payments by banking institutions, on their circulation, created by the laws of this State, shall never be permitted or sanctioned. Every banking association now, or which may hereafter be, organized under the laws of this State, shall make and publish a full and accurate statement of its affairs (which shall be certified to, under oath, by one or more of its officers) as may be provided by law.

INDIANA.**7. XI.**

All bills or notes issued as money shall be, at all times, redeemable in gold or silver; and no law shall be passed sanctioning, directly or indirectly, the suspension, by any bank or banking company, of specie payments.

IOWA.**11.**

The suspension of specie payments

Sec. Art.

by banking institutions shall never be permitted or sanctioned.

MICHIGAN.**6. XV.**

The Legislature shall pass no law authorizing or sanctioning the suspension of specie payments by any person, association or corporation.

MINNESOTA.**13. IX.**

The Legislature may, by a two-thirds vote, pass a general banking law, with the following restrictions and requirements, viz.:

First—The Legislature shall have no power to pass any law sanctioning in any manner, directly or indirectly, the suspension of specie payments by any person, association or corporation issuing bank notes of any description.

Second—The Legislature shall provide by law for the registry of all bills or notes issued or put in circulation as money and shall require ample security in United States stock or State stocks for the redemption of the same in specie; and in case of a depreciation of said stocks, or any part thereof, to the amount of ten per cent or more on the dollar, the bank or banks owning said stocks,

Specie Payments.

Sec. Art.

shall be required to make up said deficiency by additional stocks.

Third—The stockholders in any corporation and joint association for banking purposes, issuing bank notes, shall be individually liable in an amount equal to double the amount of stock owned by them for all the debts of such corporation or association; and such individual liability shall continue for one year after any transfer or sale of stock by any stockholder or stockholders.

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Fourth—In case of the insolvency of any bank or banking association, the bill holders thereof shall be entitled to preference in payment over all other creditors of such bank or association.

Fifth—Any general banking law which may be passed in accordance with this article, shall provide for recording the names of all stockholders in such corporation, the amount of stock held by each, the time of transfer, and to whom transferred.

Registry of Bills or Notes.

REGISTRY OF BILLS OR NOTES.

- 1 Sec. 6. The Legislature shall provide by law for the
 2 registry of all bills or notes, issued or put in circulation as
 3 money; and shall require ample security for the redemption of
 4 the same in specie.

Sec. Art.

ARKANSAS.

10. XII.

No act of the General Assembly shall be passed authorizing the issue of bills, notes or other paper which may circulate as money.

ILLINOIS.

8. XI.

If a general banking law shall be enacted, it shall provide for the registry and countersigning, by an officer of State, of all bills or paper credit designed to circulate as money, and require security, to the full amount thereof, to be deposited with the State Treasurer, in United States or Illinois State stocks, to be rated at ten per cent below their par value; and in case of a depreciation of said stocks to the amount of ten per cent below par, the bank or banks owning said stocks shall be required to make up said deficiency by depositing additional stocks. And said law shall also provide for the recording of the names of all stockholders in such corporations, the amount of stock held by each, the time of any transfer thereof, and to whom such transfer is made.

INDIANA.

3. XI.

If the General Assembly shall enact a general banking law, such

Sec. Art.

law shall provide for the registry and countersigning, by an officer of State, of all paper credit designed to be circulated as money; and ample collateral security, readily convertible into specie, for the redemption of the same in gold or silver, shall be required; which collateral security shall be under the control of the proper officer or officers of the State.

IOWA.

8. VIII.

If a general banking law shall be enacted, it shall provide for the registry and countersigning, by an officer of State, of all bills or paper credit designed to circulate as money, and require security to the full amount thereof, to be deposited with the State Treasurer, in United States stocks, or in interest paying stocks of States in good credit and standing, to be rated at ten per cent below their average value in the city of New York, for the thirty days next preceding their deposit; and in case of a depreciation of any portion of said stocks, to the amount of ten per cent on the dollar, the bank or banks owning such stocks shall be required to make up said deficiency by depositing additional stocks; and said law shall also provide for the record-

Registry of Bills or Notes.

Sec. Art.

ing of the names of all stockholders in such corporations, the amount of stock held by each, the time of any transfer, and to whom.

PENNSYLVANIA.

9. XVI.

Every banking law shall provide for the registry and countersigning, by an officer of the State, of all notes or bills designed for circulation, and that ample security to the full amount thereof shall be deposited with the Auditor-General for the redemption of such notes or bills.

MICHIGAN.

4. XV.

For all banks organized under general laws, the Legislature shall provide for the registry of all bills or notes issued or put into circulation as money, and shall require security to the full amount of notes and bills so registered, in State or United States stocks, bearing interest, which shall be deposited with the State Treasurer for the redemption of such bills or notes, in specie.

Sec. Art.

NORTH DAKOTA.

145. VII.

If a general banking law be enacted, it shall provide for the registry and countersigning, by an officer of the State, of all notes or bills designed for circulation, and that ample security to the full amount thereof shall be deposited with the State Treasurer for the redemption of such notes or bills.

SOUTH DAKOTA.

1. XVIII.

If a general banking law shall be enacted it shall provide for the registry and countersigning by an officer of this State of all bills or paper credit designated to circulate as money, and require security to the full amount thereof to be deposited with the State Treasurer, in the approved securities of the State or of the United States, to be rated at ten per centum below their par value, and in case of their depreciation the deficiency shall be made good by depositing additional securities.

Individual Responsibility of Stockholders.

INDIVIDUAL RESPONSIBILITY OF STOCKHOLDERS.

1 Sec. 7. The stockholders of every corporation and
 2 joint-stock association for banking purposes, shall be indi-
 3 vidually responsible to the amount of their respective share
 4 or shares of stock in any such corporation or association, for
 5 all its debts and liabilities of every kind.

Sec. Art.

CALIFORNIA.

3. XII.

Each stockholder of a corporation or joint-stock association shall be individually and personally liable for such proportion of all its debts and liabilities contracted or incurred during the time he was a stockholder, as the amount of stock or shares owned by him bears to the whole of the subscribed capital stock or shares of the corporation or association. The directors or trustees of corporations and joint-stock associations shall be jointly and severally liable to the creditors and stockholders for all moneys embezzled or misappropriated by the officers of such corporation or joint-stock association during the term of office of such director or trustee.

ILLINOIS.

6. XI.

Every stockholder in a banking corporation or institution shall be individually responsible and liable to its creditors, over and above the amount of stock by him or her held, to an amount equal to his or her respective shares so held, for all its liabilities accruing while he or she remains such stockholder.

Sec. Art.

INDIANA.

6. XI.

The stockholders in ever bank, or banking company, shall be individually responsible to an amount over and above their stock, equal to their respective shares of stock, for all debts or liabilities of said bank or banking company.

IOWA.

9. VIII.

Every stockholder in a banking corporation or institution shall be individually responsible and liable to its creditors, over and above the amount of stock by him or her held, to an amount equal to his or her respective shares so held, for all of its liabilities accruing while he or she remains such stockholder.

MARYLAND.

39. III.

The General Assembly shall grant no charter for banking purposes, nor renew any banking corporation now in existence, except upon the condition that the stockholders shall be liable to the amount of their respective share or shares of stock in such banking institution, for all its debts and liabilities upon note,

Individual Responsibility of Stockholders.

Sec. Art

bill, or otherwise; the books, papers and accounts of all banks shall be open to inspection, under such regulations as may be prescribed by law.

3. XV. MICHIGAN.

The officers and stockholders of every corporation or association for banking purposes, issuing bank notes or paper credits, to circulate as money, shall be individually liable for all debts contracted during the term of their being officers or stockholders of such corporation or association, equally and ratably to the extent of their respective shares of stock in any such corporation or association.

7. XV.

The stockholders of all corporations and joint-stock associations shall be individually liable for all labor performed for such corporation or association.

3. X. MINNESOTA.

Each stockholder in any corporation (excepting those organized for the purpose of carrying on any kind of manufacturing or mechanical business) shall be liable to the amount of stock held or owned by him.

4. XIII. NEBRASKA.

In all cases of claims against corporations and joint-stock associations, the exact amount justly due shall be first ascertained, and after the corporate property shall have been exhausted, the original subscribers thereof shall be individually liable to the extent of their unpaid subscription, and the liability for the unpaid subscription shall follow the stock.

7. XIII.

Every stockholder in a banking

Sec. Art.

corporation or institution shall be individually responsible and liable to its creditors, over and above the amount of stock by him held, to an amount equal to his respective stock or shares so held, for all its liabilities accruing while he remains such stockholder; and all banking corporations shall publish quarterly statements, under oath, of their assets and liabilities.

3. XI. OREGON.

The stockholders of all corporations and joint-stock companies shall be liable for the indebtedness of said corporation to the amount of their stock subscribed and unpaid, and no more.

5. XII. SOUTH CAROLINA.

All general laws and special acts passed pursuant to this section shall make provisions therein for fixing the personal liability of stockholders under proper limitations; and shall prevent and punish fraudulent misrepresentations as to the capital, property and resources of such corporations; and shall also regulate the public use of all franchises which have heretofore been, or hereafter may be created or granted by or under the authority of this State; and shall limit all tolls, imposts and other charges and demands under such laws.

6. XII.

The General Assembly shall grant no charter for banking purposes, nor renew any banking corporations now in existence, except upon the condition that the stockholders shall be liable to the amount of their respective share or shares of stock in such banking institution for all its debts and liabilities, upon note,

Individual Responsibility of Stockholders.

Sec. Art.

bill or otherwise; and upon the further condition that no director or other officer of said corporation shall borrow any money from said corporation; and if any director or other officer shall be convicted, upon indictment, of directly or indirectly violating this section, he shall be punished by fine or imprisonment, at the discretion of the court. The books, papers and accounts of all banks shall be open to inspection, under such regulations as may be prescribed by law.

SOUTH DAKOTA.**3. XVIII.**

The shareholders or stockholders of any banking corporation shall be held individually responsible and liable for all contracts, debts and engagements of such corporation to the extent of the amount of their stock therein, at the par value thereof, in addition to the amount invested in such shares or stock; and such individual liabilities shall continue for one year after any transfer or sale of stock by any stockholder or stockholders.

WASHINGTON.**4. XII.**

Each stockholder in all incorporated companies, except corporations organized for banking or

Sec. Art.

insurance purposes, shall be liable for the debts of the corporation to the amount of his unpaid stock and no more, and one or more of the stockholders may be joined as parties defendant in suits to recover upon this liability.

WEST VIRGINIA.**2. XI.**

The stockholders of all corporations and joint-stock companies, except banks and banking institutions, created by laws of this State, shall be liable for the indebtedness of such corporations to the amount of their stock subscribed and unpaid, and no more.

6.

The Legislature may provide, by a general banking law, for the creation and organization of banks of issue or circulation, but the stockholders of any bank hereafter authorized by the laws of this State, whether of issue, deposit or discount, shall be personally liable to the creditors thereof, over and above the amount of stock held by them respectively, to an amount equal to their respective shares so held, for all its liabilities accruing while they are such stockholders.

 Insolvency of Banks.

INSOLVENCY OF BANKS.

- 1 Sec. 8. In case of the insolvency of any bank or bank-
 2 ing association, the billholders thereof shall be entitled to
 3 preference in payment, over all other creditors of such bank
 4 or association.

Sec. Art.

ALABAMA.**17. XIV.**

Holders of bank notes and depositors who have not stipulated for interest shall, for such notes and deposits, be entitled in case of insolvency to the preference of payment over all other creditors.

INDIANA.**8. XI.**

Holders of bank notes shall be entitled, in case of insolvency, to preference of payment over all other creditors.

IOWA.**10. VIII.**

In case of the insolvency of any banking institution, the billholders shall have the preference over its other creditors.

KANSAS.**4. XIII.**

All circulating notes shall be redeemable in the money of the United States. Holders of such notes shall be entitled, in case of the insolvency of such banks, to preference of payment over all other creditors.

KENTUCKY.**204.**

Any president, director, manager, cashier or other officer of any banking institution or association for the deposit or loan of money, or any individual

Sec. Art.

banker, who shall receive or assent to the receiving of deposits after he shall have knowledge of the fact that such banking institution or association or individual banker is insolvent, shall be individually responsible for such deposits so received, and shall be guilty of felony, and subject to such punishment as shall be prescribed by law.

LOUISIANA.

Art. 241. It shall be a crime, the nature and punishment of which shall be prescribed by law, for any president, director, manager, cashier or other officer or owner of any private or public bank or banking institution to assent to the reception of deposits, or the creation of debts by such banking institution after he shall have had knowledge of the fact that it is insolvent or in failing circumstances; any such officer, agent or manager shall be individually responsible for such deposits so received and all such debts so created with his assent.

MICHIGAN.**5. XV.**

In case of the insolvency of any bank or banking association, the billholders thereof shall be entitled to preference in pay-

Insolvency of Banks.

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ment over all other creditors of such bank or association.

MISSOURI.**27. XII.**

It shall be a crime, the nature and punishment of which shall be prescribed by law, for any president, director, manager, cashier or other officer of any banking institution to assent to the reception of deposits, or the creation of debts by such banking institution, after he shall have had knowledge of the fact that it is insolvent or in failing circumstances; and any such officer, agent or man-

Sec. Art

ager shall be individually responsible for such deposits so received and all such debts so created with his assent.

WASHINGTON.**12. XII.**

Any president, director, manager, cashier, or other officer of any banking institution who shall receive or assent to the reception of deposits after he shall have knowledge of the fact that such banking institution is insolvent or in failing circumstances, shall be individually responsible for such deposits so received.

CREDIT OR MONEY OF THE STATE NOT TO BE GIVEN OR LOANED.

1 Sec. 9. Neither the credit nor the money of the State
 2 shall be given or loaned to or in aid of any association, cor-
 3 poration or private undertaking. This section shall not, how-
 4 ever, prevent the Legislature from making such provision for
 5 the education and support of the blind, the deaf and dumb,
 6 juvenile delinquents, as to it may seem proper. Nor shall
 7 it apply to any fund or property now held, or which may here-
 8 after be held, by the State for educational purposes.

Sec. Art.**ALABAMA.****20. XIV.**

The State shall not be a stockholder in any bank nor shall the credit of the State ever be given, or loaned, to any banking company, association or corporation.

CALIFORNIA.**31. IV.**

The Legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the State, or of any county, city and county, city, township or other political corporation or subdivision of the State now existing, or that may be hereafter established, in aid of or to any person, association or corporation, whether municipal or otherwise, or to pledge the credit thereof in any manner whatever, for the payment of the liabilities of any individual, association, municipal or other corporation whatever; nor shall it have power to make any gift, or authorize the making of

Sec. Art.

any gift, of any public money or thing of value, to any individual, municipal or other corporation whatever: Provided, That nothing in this section shall prevent the Legislature granting aid pursuant to section twenty-two of this article; and it shall not have power to authorize the State, or any political subdivision thereof, to subscribe for stock, or to become a stockholder in any corporation whatever.

KANSAS.**1. VII.**

Institutions for the benefit of the insane, blind, and deaf and dumb, and such other benevolent institutions as the public good may require, shall be fostered and supported by the State, subject to such regulations as may be prescribed by law. Trustees of such benevolent institutions as may be hereafter created, shall be appointed by the Governor, by and with

Credit or Money of the State Not to be Given, etc

Sec. Art.

the advice and the consent of the Senate; and upon all nominations made by the Governor, the question shall be taken in yeas and nays, and entered upon the journal.

MINNESOTA.**10. IX.**

The credit of the State shall never be given or loaned in aid of any individual, association or corporation. Nor shall there be any further issue of bonds denominated "Minnesota State Railroad Bonds," under what purports to be an amendment to section ten (10) of article nine (9) of the Constitution, adopted April fifteenth, eighteen hundred and fifty-eight, which is hereby expunged from the Constitution, saving, excepting and reserving to the State, nevertheless, all rights, remedies, and forfeitures accruing under said amendment.

NEVADA.**9. VIII.**

The State shall not donate or loan money or its credit, subscribe to or be interested in the stock of any company, association or corporation, except corporations formed for educational or charitable purposes.

NORTH CAROLINA.**4. V.**

Until the bonds of the State shall be at par, the General Assembly shall have no power to contract any new debt or pecuniary obligation in behalf of the State, except to supply a casual deficit, or for suppressing invasion or insurrection, unless it shall in the same bill levy a special tax to pay the interest annually. And the General Assembly shall have no power to give or lend the credit of the State in aid of any

Sec. Art.

person, association or corporation, except to aid in the completion of such railroads as may be unfinished at the time of the adoption of this Constitution, or in which the State has a direct pecuniary interest, unless the subject be submitted to a direct vote of the people of the State, and be approved by the majority of those who shall vote.

TEXAS.**9. VII.**

All lands heretofore granted for benefit of the lunatic, blind, deaf and dumb, and orphan asylums, together with such donations as may have been or may hereafter be made to either of them, respectively, as indicated in the several grants, are hereby set apart to provide a permanent fund for the support, maintenance and improvement of said asylums. And the Legislature may provide for the sale of the lands and the investment of the proceeds in manner as provided for the sale and investment of school lands in section four of this article.

VIRGINIA.**14. X.**

The State shall not subscribe to or become interested in the stock of any company, association or corporation.

WYOMING.**5. X.**

Neither the State, nor any county, township, school district or municipality shall loan or give its credit or make donation to or in aid of any railroad or telegraph line: Provided, That this section shall not apply to obligations of any county, city, township or school district contracted prior to the adoption of this Constitution.

**COUNTIES, ETC., NOT TO GIVE OR LOAN MONEY OR CREDIT —
LIMITATION OF DEBTS**

1 Sec. 10. No county, city, town or village shall hereafter
2 give any money or property, or loan its money or credit to or
3 in aid of any individual, association or corporation, or become
4 directly or indirectly the owner of stock in, or bonds of, any
5 association or corporation; nor shall any such county, city,
6 town or village be allowed to incur any indebtedness except
7 for county, city, town or village purposes. This section shall
8 not prevent such county, city, town or village from making
9 such provision for the aid or support of its poor as may be
10 authorized by law. No county or city shall be allowed to
11 become indebted for any purpose or in any manner to an
12 amount which, including existing indebtedness, shall exceed
13 ten per centum of the assessed valuation of the real estate of
14 such county or city subject to taxation, as it appeared by the
15 assessment-rolls of said county or city on the last assessment
16 for State or county taxes prior to the incurring of such indebt-
17 edness; and all indebtedness in excess of such limitation,
18 except such as may now exist, shall be absolutely void, except
19 as herein otherwise provided. No county or city whose
20 present indebtedness exceeds ten per centum of the assessed
21 valuation of its real estate subject to taxation, shall be allowed
22 to become indebted in any further amount until such indebt-

Counties, etc., Not to Give or Loan Money, etc.

edness shall be reduced within such limit. This section shall not be construed to prevent the issuing of certificates of indebtedness or revenue bonds issued in anticipation of the collection of taxes for amounts actually contained, or to be contained in the taxes for the year when such certificates or revenue bonds are issued and payable out of such taxes. Nor shall this section be construed to prevent the issue of bonds to provide for the supply of water; but the term of the bonds issued to provide the supply of water shall not exceed twenty years, and a sinking fund shall be created on the issuing of the said bonds for their redemption, by raising annually a sum which will produce an amount equal to the sum of the principal and interest of said bonds at their maturity. All certificates of indebtedness or revenue bonds issued in anticipation of the collection of taxes, which are not retired within five years after their date of issue, and bonds issued to provide for the supply of water, and any debt hereafter incurred by any portion or part of a city, if there shall be any such debt, shall be included in ascertaining the power of the city to become otherwise indebted. Whenever hereafter the boundaries of any city shall become the same as those of a county, the power of the county to become indebted shall cease, but the debt of the county at that time existing shall not be included as a part of the city debt. The amount hereafter to be raised by tax for

Counties, etc., Not to Give or Loan Money, etc.

47 county or city purposes, in any county containing a city of
 48 over one hundred thousand inhabitants, or any such city of
 49 this State, in addition to providing for the principal and inter-
 50 est of existing debt, shall not in the aggregate exceed in any
 51 one year two per centum of the assessed valuation of the real
 52 and personal estate of such county or city, to be ascertained as
 53 prescribed in this section in respect to county or city debt.

Sec. Art.

ALABAMA.

49. IV.

It shall be the duty of the General Assembly to require the several counties of this State to make adequate provision for the maintenance of the poor.

55. IV.

The General Assembly shall have no power to authorize any county, city, town or other subdivision of this State to lend its credit or to grant public money or thing of value in aid of or to any individual association or corporation whatever, or to become a stockholder in any such corporation, association or company, by issuing bonds or otherwise.

7. XI.

No city, town or municipal corporation, other than provided for in this article, shall levy or collect a larger rate of taxation, in any one year, on the property thereof, than one-half of one per centum of the value of such property assessed for State taxation during the preceding year: Provided, That for the payment of debts existing at the time of the notification of this Constitution, and the interests thereon, an additional rate of one per centum

Sec. Art.

may be collected, to be applied exclusively to such indebtedness. And, provided, This section shall not apply to the city of Mobile, which city may, until the first day of January, one thousand eight hundred and seventy-nine, levy a tax not to exceed the rate of one per centum, and from and after that time a tax not to exceed the rate of three-fourths of one per centum, to pay the expenses of the city government, and may also, until the first day of January, one thousand eight hundred and seventy-nine, levy a tax not to exceed the rate of one per centum, and from and after that time, a tax not to exceed the rate of three-fourths of one per centum, to pay the existing indebtedness of said city and the interest thereon.

8. XI.

At the first session of the General Assembly after the ratification of this Constitution the salaries of the following officers shall be reduced at least twenty-five per centum, viz.: Governor, Secretary of State, State Auditor, State Treasurer, Attorney-General, Superintendent of Education, judges of the Supreme and Circuit Courts, and chan-

Counties, etc., Not to Give or Loan Money, etc.

Sec. Art.

cellors; and after said reduction the General Assembly shall not have the power to increase the same except by a vote of a majority of all the members elected to each house, taken by yeas and nays, and entered on the journals: Provided, This section shall not apply to any of said officers now in office.

4. XII.

No municipal corporation shall be authorized to pass any laws contrary to the general laws of the State; nor levy any tax on real or personal property to a greater extent, in one year, than five mills on the dollar of the assessed value of the same: Provided, That, to pay the indebtedness existing at the time of the adoption of this Constitution, an additional tax of not more than five mills on the dollar may be levied.

14. XIV.

The General Assembly shall not have the power to establish or incorporate any bank or banking company, or moneyed institution, for the purpose of issuing bills of credit, or bills payable to order or bearer, except under the conditions prescribed in this Constitution.

18. XIV.

Every bank or banking company shall be required to cease all banking operations within twenty years from the time of its organization (unless the General Assembly shall extend the time), and promptly thereafter close its business; but shall have corporate capacity to sue and shall be liable to suit until its affairs and liabilities are fully closed.

19. XIV.

No bank shall receive, directly or indirectly, a greater rate of

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interest than shall be allowed by law to individuals for lending money.

ARKANSAS.

5. XII.

No county, city, town or other municipal corporation shall become a stockholder in any company, association or corporation; or obtain or appropriate money for, or loan its credit to, any corporation, institution or individual.

7. XII.

Except as herein provided, the State shall never become a stockholder in, or subscribe to, or be interested in, the stock of any corporation or association.

CALIFORNIA.

18. XI.

No county, city, town, township, board of education or school district shall incur any indebtedness or liability in any manner, or for any purpose, exceeding in any year the income and revenue provided for it for such year, without the assent of two-thirds of the qualified electors thereof, voting at an election to be held for that purpose, nor unless, before or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same. Any indebtedness or liability incurred contrary to this provision shall be void. (Amendment adopted November 8, 1892.)

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COLORADO.

8. X.

No county, city, town or other municipal corporation, the inhabitants thereof, nor the property therein, shall be released or discharged from their or its proportionate share of taxes to be levied for State purposes.

2. XI.

Neither the State nor any county, city, town, township or school district shall make any donation or grant to, or in aid of, or become a subscriber to, or shareholder in, any corporation or company, or a joint owner with any person, company or corporation, public or private, in or out of the State, except as to such ownership as may accrue to the State by escheat, or by forfeiture, by operation or provision of law; and except as to such ownership as may accrue to the State or to any county, city, town, township or school district, or to either or any of them, jointly with any person, company or corporation, by forfeiture or sale of real estate for non-payment of taxes, or by donation or devise for public use, or by purchase by or on behalf of any or either of them, jointly with any or either of them, under execution in cases of fines, penalties or forfeiture of recognizance, breach of condition or official bond, or of bond to secure public moneys, or the performance of any contract in which they or any of them may be jointly or severally interested.

8. XI.

No city or town shall contract any debt by loan in any form, except by means of an ordinance, which shall be irrevocable until the indebtedness therein provided for shall have

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been fully paid or discharged; specifying the purposes to which the funds to be raised shall be applied, and providing for the levy of a tax, not exceeding twelve mills on each dollar of valuation of taxable property within such city or town, sufficient to pay the annual interest, and extinguish the principle of such debt within fifteen, but not less than ten years from the creation thereof; and such tax when collected shall be applied only to the purposes in such ordinance specified, until the indebtedness shall be paid or discharged. But no such debt shall be created unless the question of incurring the same shall, at a regular election for councilmen, aldermen or officers of such city or town, be submitted to a vote of such qualified electors thereof as shall, in the year next preceding, have paid a property tax therein, and a majority of those voting on the question, by ballot deposited in a separate ballot-box, shall vote in favor of creating such debt; but the aggregate amount of debt so created, together with the debt existing at the time of such election, shall not at any time exceed three per cent of the valuation last aforesaid. Debts contracted for supplying water to such city or town are excepted from the operation of this section. The valuation in this section mentioned shall be in all cases that of the assessment next preceding the last assessment before the adoption of such ordinance.

6. XI.

No county shall contract any debt by loan in any form, except for the purpose of erecting necessary public buildings,

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making or repairing public roads and bridges; and such indebtedness contracted in any one year shall not exceed the rates upon the taxable property in such county following, to wit: Counties in which the assessed valuation of taxable property shall exceed five millions of dollars, one dollar and fifty cents on each thousand dollars thereof. Counties in which such valuation shall be less than five millions of dollars, three dollars on each thousand dollars thereof. And the aggregate amount of indebtedness of any county for all purposes, exclusive of debts contracted before the adoption of this Constitution, shall not at any time exceed twice the amount above herein limited, unless when in manner provided by law, the question of incurring such debt shall at a general election, be submitted to such of the qualified electors of such county as in the year last preceding such election shall have paid a tax upon property assessed to them in such county, and a majority of those voting thereon shall vote in favor of incurring the debt, but the bonds, if any be issued therefor, shall not run less than ten years, and the aggregate amount of debt so contracted shall not at any time exceed twice the rate upon the valuation last herein mentioned: Provided, That this section shall not apply to counties having a valuation less than one million dollars.

GEORGIA.

6. VII.

Par. I. The General Assembly shall not authorize any county municipal corporation or political division of this State to become a stockholder in any

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company, corporation or association or to appropriate money for, or to loan its credit to any corporation, company, association, institution or individual, except for purely charitable purposes. This restriction shall not operate to prevent the support of schools by municipal corporations within their respective limits: Provided, That if any municipal corporation shall offer to the State any property for locating or building a capitol, and the State accepts such offer, the corporation may comply with such offer.

7. VII.

Par. I. The debt hereafter incurred by any county, municipal corporation or political division of this State, except as in this Constitution provided for, shall never exceed seven per centum of the assessed value of all the taxable property therein; and no such county, municipality or division shall incur any new debt, except for a temporary loan or loans to supply casual deficiencies of revenue, not to exceed one-fifth of one per centum of the assessed value of taxable property therein, without the assent of two-thirds of the qualified voters thereof, at an election for that purpose, to be held as may be prescribed by law; but any city, the debt of which does not exceed seven per centum of the assessed value of the taxable property at the time of the adoption of this Constitution, may be authorized by law to increase, at any time, the amount of said debt, three per centum upon such assessed valuation.

7. VII.

Par. II. Any county, municipal corporation or political division

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of this State, which shall incur any bonded indebtedness under the provisions of this Constitution, shall, at or before the time of so doing, provide for the assessment and collection of an annual tax sufficient in amount to pay the principal and interest of said debt within thirty years from the date of the incurring of said indebtedness.

IDAHO.

2. XII.

Any county or incorporated city or town may make and enforce, within its limits, all such local, police, sanitary, and other regulations as are not in conflict with its charter or with the general laws.

4. XII.

No county, town, city, or other municipal corporation, by vote, of its citizens or otherwise, shall ever become a stockholder in any joint stock company, corporation or association whatever, or raise money for, or make donation or loan its credit to, or in aid of, any such company or association: Provided, That cities and towns may contract indebtedness for school, water, sanitary, and illuminating purposes: Provided, That any city or town contracting such indebtedness shall own its just proportion of the property thus created, and receive from any income arising therefrom, its proportion to the whole amount so invested.

ILLINOIS.

8. IX.

County authorities shall never assess taxes the aggregate of which shall exceed seventy-five cents per one hundred dollars valuation, except for the payment of indebtedness existing at

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the adoption of this Constitution, unless authorized by a vote of the people of the county.

12. IX.

No county, city, township, school district, or other municipal corporation shall be allowed to become indebted in any manner or for any purpose to an amount including existing indebtedness in the aggregate exceeding five per centum on the valuation of the taxable property therein, to be ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness. Any county, city, school district, or other municipal corporation incurring any indebtedness as aforesaid, shall before, or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same. This section shall not be construed to prevent any county, city, township, school district, or other municipal corporation, from issuing their bonds in compliance with any vote of the people which may have been had prior to the adoption of this Constitution in pursuance of any law providing therefor.

5. XI.

No State bank shall hereafter be created, nor shall the State own or be liable for any stock in any corporation or joint stock company or association for banking purposes now created, or to be hereafter created. No act of the General Assembly authorizing or creating corporations or associations with banking powers, whether of issue, deposit or discount, nor amendments thereto, shall go into effect or in any

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manner be in force, unless the same shall be submitted to a vote of the people at the general election next succeeding the passage of the same, and be approved by a majority of all the votes cast at such election for or against such law.

INDIANA.

6. X.

No county shall subscribe for stock in any incorporated company, unless the same be paid for at the time of such subscription; nor shall any county loan its credit to any incorporated company, nor borrow money for the purpose of taking stock in any such company; nor shall the General Assembly ever, on behalf of the State, assume the debts of any county, city, town or township, nor of any corporation whatever.

1. XI.

The General Assembly shall not have power to establish, or incorporate any bank or banking company, or moneyed institution, for the purpose of issuing bills of credit, or bills payable to order or bearer, except under the conditions prescribed in this Constitution.

4. XI.

The General Assembly may also charter a bank with branches, without collateral security, as required in the preceding section.

5. XI.

If the General Assembly shall establish a bank with branches, the branches shall be mutually responsible for each other's liabilities, upon all paper credit issued as money.

9. XI.

No bank shall receive, directly or indirectly a greater rate of interest than shall be allowed by

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law to individuals loaning money.

10. XI.

Every bank, or banking company, shall be required to cease all banking operations within twenty years from the time of its organization, and promptly thereafter to close its business.

11. XI.

The General Assembly is not prohibited from investing the trust funds in a bank with branches; but in case of such investment, the safety of the same shall be guaranteed by unquestionable security.

1. XIII.

No political or municipal corporation in this State shall ever become indebted, in any manner or for any purpose, to any amount, in the aggregate exceeding two per centum on the value of taxable property within such corporation, to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness, and all bonds or obligations, in excess of such amount, given by such corporations, shall be void: Provided, That in time of war, foreign invasion, or other great public calamity, on petition of a majority of the property owners, in number and value, within the limits of such corporation, the public authorities, in their discretion, may incur obligations necessary for the public protection and defense, to such an amount as may be requested in such petition.

IOWA.

4. VIII.

No political or municipal corporation shall become a stockholder in any banking corporation, directly or indirectly.

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5. VIII.

No act of the General Assembly, authorizing or creating corporations or associations with banking powers, nor amendments thereto, shall take effect, or in any manner be in force, until the same shall have been submitted, separately, to the people, at a general or special election, as provided by law, to be held not less than three months after the passage of the act, and shall have been approved by a majority of all the electors voting for and against it at such election.

6. VIII.

Subject to the provisions of the foregoing section, the General Assembly may also provide for the establishment of a State bank with branches.

7. VIII.

If a State bank be established, it shall be founded on an actual specie basis, and the branches shall be mutually responsible for each others liabilities upon all notes, bills and other issues intended for circulation as money.

8. XI.

No county, or other political or municipal corporation, shall be allowed to become indebted in any manner, or for any purpose, to an amount, in the aggregate, exceeding five per centum on the value of the taxable property within such county or corporation, to be ascertained by the last State and county tax lists, previous to the incurring of such indebtedness.

KANSAS.

4. VII.

The respective counties of the State shall provide, as may be prescribed by law, for those inhabitants, who, by reason of age, infirmity, or other misfortune,

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may have claims upon the sympathy and aid of society.

2. XIII.

All banking laws shall require, as collateral security for the redemption of the circulating notes of any bank, organized under their provisions, a deposit with the auditor of the State, of the interest-paying bonds of the several States or of the United States, at the cash rates of the New York Stock Exchange, to an amount equal to the amount of circulating notes which such bank shall be authorized to issue, and a cash deposit in its vault of ten per cent. of such amount of circulating notes; and the auditor shall register and countersign no more circulating bills of any bank than the cash value of such bonds when deposited.

3. XIII.

Whenever the bonds pledged as collateral security for the circulation of any bank, shall depreciate in value, the auditor of State shall require additional security, or curtail the circulation of such bank to such extent as will continue the security unimpaired.

5. XIII.

The State shall not be a stockholder in any banking institution.

6. XIII.

All banks shall be required to keep offices and officers for the issue and redemption of their circulation, at a convenient place within the State, to be named on the circulating notes issued by such bank.

7. XIII.

No banking institution shall issue circulating notes of a less denomination than one dollar.

8. XIII.

No banking law shall be in force

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until the same shall have been submitted to a vote of the electors of the State at some general election, and approved by a majority of all the votes cast at such election.

9. XIII.

Any banking law may be amended or repealed.

KENTUCKY.**157.**

The tax rate of cities, towns, counties, taxing districts and other municipalities, for other than school purposes, shall not, at any time, exceed the following rates upon the value of the taxable property therein, viz.: For all towns or cities having a population of fifteen thousand or more, one dollar and fifty cents on the hundred dollars; for all towns or cities having less than fifteen thousand, and not less than ten thousand, one dollar on the hundred dollars; for all towns or cities having less than ten thousand, seventy-five cents on the hundred dollars; and for counties and taxing districts, fifty cents on the hundred dollars; unless it should be necessary to enable such city, town, county, or taxing district to pay the interest on, and provide a sinking fund for the extinction of, indebtedness contracted before the adoption of this Constitution. No county, city, town, taxing district, or other municipality, shall be authorized or permitted to become indebted, in any manner or for any purpose, to an amount exceeding, in any year, the income and revenue provided for such year, without the assent of two-thirds of the voters thereof, voting at an election to be held for that purpose; and any indebtedness contracted in violation of this

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section shall be void. Nor shall such contract be enforceable by the person with whom made; nor shall such municipality ever be authorized to assume the same.

158.

The respective cities, towns, counties, taxing districts, and municipalities shall not be authorized or permitted to incur indebtedness to an amount, including existing indebtedness, in the aggregate exceeding the following named maximum percentages on the value of the taxable property therein, to be estimated by the assessment next before the last assessment previous to the incurring of the indebtedness, viz.: Cities of the first and second classes, and of the third class having a population exceeding fifteen thousand, ten per centum; cities of the third class having a population of less than fifteen thousand, and cities and towns of the fourth class, five per centum; cities and towns of the fifth and sixth classes, three per centum; and counties, taxing districts and other municipalities, two per centum: Provided, any city, town, county, taxing district or other municipality may contract an indebtedness in excess of such limitations when the same has been authorized under laws in force prior to the adoption of this Constitution, or when necessary for the completion of and payment for a public improvement undertaken and not completed and paid for at the time of the adoption of this Constitution: And provided further, if, at the time of the adoption of this Constitution, the aggregate indebtedness, bonded or floating, of any city, town, county, taxing district or other municipality, including that which it has been or may

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be authorized to contract as herein provided, shall exceed the limit herein prescribed, then no such city or town shall be authorized or permitted to increase its indebtedness in an amount exceeding two per centum, and no such county, taxing district or other municipality, in an amount exceeding one per centum in the aggregate upon the value of the taxable property therein, to be ascertained as herein provided, until the aggregate of its indebtedness shall have been reduced below the limit herein fixed, and thereafter it shall not exceed the limit, unless in case of emergency, the public health or safety should so require. Nothing herein shall prevent the issue of renewal bonds, or bonds to fund the floating indebtedness of any city, town, county, taxing district or other municipality.

179.

The General Assembly shall not authorize any county or subdivision thereof, city, town, or incorporated district, to become a stockholder in any company, association or corporation, or to obtain or appropriate money, for, or to loan its credit to, any corporation, association or individual, except for the purpose of constructing or maintaining bridges, turnpike roads, or gravel roads: Provided, If any municipal corporation shall offer to the Commonwealth any property or money for locating or building a capitol, and the Commonwealth accepts such offer, the corporation may comply with the offer.

MAINE.

Amendments to the amended Constitution of Maine, adopted in pursuance of the second section of the tenth article of the amended Constitution:

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Art. XXII. No city or town shall hereafter create any debt or liability, which singly, or in the aggregate with previous debts or liabilities, shall exceed five per centum of the last regular valuation of said city or town: Provided, however, that the adoption of this article shall not be construed as applying to any fund received in trust by said city or town, nor to any loan for the purpose of renewing existing loans or for war, or to temporary loans to be paid out of money raised by taxation, during the year in which they are made.

MARYLAND.

54. III.

No county of this State shall contract any debt, or obligation, in the construction of any railroad, canal or other work of internal improvement, nor give, or loan its credit to, or in aid of any association, or corporation, unless authorized by act of the General Assembly, which shall be published for two months before the next election for members of the House of Delegates in the newspapers published in such county, and shall also be approved by a majority of all the members elected to each house of the General Assembly at its next session after said election.

MICHIGAN.

8. XIV.

The State shall not subscribe to, or be interested in, the stock of any company, association or corporation.

2. XV.

No general banking law shall have effect until the same shall, after its passage, be submitted to a vote of the electors of the State, at a general elec-

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tion, and be approved by a majority of the votes cast thereon at such election.

MINNESOTA.**4. IX.**

Laws shall be passed for taxing the notes and bills discounted or purchased, moneys loaned, and other property, effects or dues of every description, of all banks and all bankers, so that all property employed in banking shall always be subject to a taxation equal to that imposed on the property of individuals.

6. IX.

All debts authorized by the preceding section shall be contracted by loan on State bonds of amounts not less than five hundred dollars each on interest, payable within ten years after the final passage of the law authorizing such debt; and such bonds shall not be sold by the State under par. A correct registry of all such bonds shall be kept by the treasurer, in numerical order, so as always to exhibit the number and amount unpaid, and to whom severally made payable.

15. IX.

The Legislature shall not authorize any county, township, city, or other municipal corporation to issue bonds, or to become indebted in any manner, to aid in the construction or equipment of any or all railroads to any amount that shall exceed five (5) per centum of the value of the taxable property within such county, township, city or other municipal corporation. The amount of such taxable property to be ascertained and determined by the last assessment of said property made, for the purpose of State and county taxation, previous to

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the incurring of such indebtedness.

MISSISSIPPI.**183. VII.**

No county, city, town or other municipal corporation shall hereafter become a subscriber to the capital stock of any railroad or other corporation or association, or make appropriation, or loan its credit in aid of such corporation or association. All authority heretofore conferred for any of the purposes aforesaid by the Legislature or by the charter of any corporation is hereby repealed. Nothing in this section contained shall affect the right of any such corporation, municipality or county to make such subscription where the same has been authorized under laws existing at the time of the adoption of this Constitution, and by a vote of the people thereof, had prior to its adoption, and where the terms of submission and subscription have been or shall be complied with, or to prevent the issue of renewal bonds, or the use of such other means as are or may be prescribed by law for the payment or liquidation of such subscription, or of any existing indebtedness.

MISSOURI.**47. VII.**

The General Assembly shall have no power to authorize any county, city, town or township, or other political corporation or subdivision of the State now existing, or that may be hereafter established, to lend its credit or to grant public money or thing of value in aid of or to any individual association or corporation whatsoever, or to become a stockholder in such corporation, association or company.

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6. IX.

No county, township, city, or other municipality shall hereafter become a subscriber to the capital stock of any railroad or other corporation or association, or make appropriation or donation, or loan its credit to or in aid of any such corporation or association, or to or in aid of any college or institution of learning, or other institution, whether created for or to be controlled by the State or others. All authority heretofore conferred for any of the purposes aforesaid by the General Assembly, or by the charter of any corporation, is hereby repealed: Provided, however, that nothing in this Constitution contained shall affect the right of any such municipality to make such subscription, where the same has been authorized under existing laws by a vote of the people of such municipality prior to its adoption, or to prevent the issue of renewal bonds or the use of such other means as are or may be prescribed by law, for the liquidation or payment of such subscription, or of any existing indebtedness.

11. X.

Taxes for county, city, town and school purposes may be levied on all subjects and objects of taxation; but the valuation of property therefor shall not exceed the valuation of the same school district for State and property in such town, city or county purposes. For county purposes the annual rate on property, in counties having six million dollars or less, shall not in the aggregate, exceed fifty cents on the hundred dollars valuation; in counties having six million dollars and under

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ten million dollars, said rate shall not exceed forty cents on the hundred dollars valuation; in counties having ten million dollars and under thirty million dollars, said rate shall not exceed fifty cents on the hundred dollars valuation; and in counties having thirty million dollars or more, said rate shall not exceed thirty-five cents on the hundred dollars valuation. For city and town purposes, the annual rate on property in cities and towns having thirty thousand inhabitants or more shall not, in the aggregate, exceed one hundred cents on the hundred dollars valuation; in cities and towns having less than thirty thousand and over ten thousand inhabitants, said rate shall not exceed sixty cents on the hundred dollars valuation; in cities and towns having less than ten thousand and more than one thousand inhabitants, said rate shall not exceed fifty cents on the hundred dollars valuation; and in towns having one thousand inhabitants or less, said rate shall not exceed twenty-five cents on the hundred dollars valuation. For school purposes in districts, the annual rate on property shall not exceed forty cents on the hundred dollars valuation: Provided, the aforesaid annual rates for school purposes may be increased in districts formed of cities and towns, to an amount not to exceed one dollar on the hundred dollars valuation, and in other districts to an amount not to exceed sixty-five cents on the hundred dollars valuation, on the condition that a majority of the voters who are taxpayers, voting at an election held to decide the question, vote for said increase. For the purpose

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of erecting public buildings in counties, cities or school districts, the rates of taxation herein limited may be increased when the rate of such increase and the purpose for which it is intended shall have been submitted to a vote of the people, and two-thirds of the qualified voters of such county, city or school district, voting at such election, shall vote therefor. The rate herein allowed to each county shall be ascertained by the amount of taxable property therein, according to the last assessment for State and county purposes, and the rate allowed to each city or town by the number of inhabitants, according to the last census taken under the authority of the State, or of the United States; said restrictions, as to rates, shall apply to taxes of every kind and description, whether general or special, except taxes to pay valid indebtedness now existing or bonds which may be issued in renewal of such indebtedness.

12. X.

No county, city, town, township, school district or other political corporation or subdivision of the State shall be allowed to become indebted in any manner or for any purpose to an amount exceeding in any year the income and revenue provided for such year, without the assent of two-thirds of the voters thereof voting at an election to be held for that purpose; nor in cases requiring such assent shall any indebtedness be allowed to be incurred to an amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the assessment next

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before the last assessment for State and county purposes, previous to the incurring of such indebtedness; Provided, That with such assent any county may be allowed to become indebted to a larger amount for the erection of a court house or jail; and provided further, that any county, city, town, township, school district, or other political corporation or subdivision of the State, incurring any indebtedness requiring the assent of the voters as aforesaid, shall, before or at the time of doing so, provide for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for payment of the principal thereof within twenty years from the time of contracting the same.

25. XII.

No State bank shall hereafter be created, nor shall the State own or be liable for any stock in any corporation, or joint stock company, or association for banking purposes, now created or hereafter to be created.

26. XII.

No act of the General Assembly authorizing or creating corporations or associations with banking powers (except banks of deposit or discount), nor amendments thereto, shall go into effect, or in any manner be enforced, unless the same shall be submitted to a vote of the qualified voters of the State, at the general election next succeeding the passage of the same, and be approved by a majority of the votes cast at such election.

MONTANA.**6. XII.**

No county, city, town or other municipal corporation, the inhabitants thereof nor the prop-

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erty therein, shall be released or discharged from their or its proportionate share of State taxes.

NEBRASKA.**5. IX.**

County authorities shall never assess taxes, the aggregate of which shall exceed one and one-half dollars per hundred dollars valuation, except for the payment of indebtedness existing at the adoption of this Constitution, unless authorized by a vote of the people of the county.

1. VIII.

No city, county, town precinct, municipality, or other subdivision of the State shall ever become a subscriber to the capital stock, or owner of such stock, or any portion or interest therein, of any railroad or private corporation or association.

2. XIV.

No city, county, town, precinct, municipality, or other subdivision of the State shall ever make donations to any railroad or other works of internal improvement unless a proposition so to do shall have been first submitted to the qualified voters thereof at an election by authority of law: Provided, That such donations of a county with the donations of such subdivisions in the aggregate shall not exceed ten per cent of the assessed valuation of such county: Provided further, That any city or county may, by a two-thirds vote, increase such indebtedness five per cent, in addition to such ten per cent, and no bonds or evidences of indebtedness so issued shall be valid unless the same shall have indorsed thereon a certificate signed by the secretary and auditor of the State, showing that the same is issued pursuant to law.

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NEVADA.**6. VIII.**

No bank notes or paper of any kind shall ever be permitted to circulate as money in this State, except the federal currency and the notes of banks authorized under the laws of Congress.

10. VIII.

No county, city, town, or other municipal corporation shall become a stockholder in any joint stock company, corporation or association whatever, or loan its credit in aid of such company, corporation, or association, except railroad corporations, companies, or associations.

NEW JERSEY.**19. I.**

No county, city, borough, town, township or village shall hereafter give any money or property, or loan its money or credit, to or in aid of any individual association or corporation, or become security for or be directly or indirectly the owner of any stock or bonds of any association or corporation.

NORTH CAROLINA.**7. VII.**

No county, city, town, or other municipal corporation, shall contract any debt, pledge its faith, or loan its credit, nor shall any tax be levied or collected by any officers of the same, except for the necessary expenses thereof, unless by a vote of the majority of the qualified voters therein.

NORTH DAKOTA.**183. XII.**

The debt of any county, township, town, school district, or any other political subdivision, shall never exceed five (5) per centum upon the assessed value of the taxable property therein: Provided, That any incorporated city may, by a two-thirds vote,

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increase such indebtedness three (3) per centum on such assessed value beyond said five (5) per centum limit. In estimating the indebtedness which a city, county, township, school district or any other political subdivision may incur, the entire amount of existing indebtedness, whether contracted prior or subsequent to the adoption of this Constitution, shall be included: Provided further, That any incorporated city may become indebted in any amount not exceeding four (4) per centum on such assessed value without regard to the existing indebtedness of such city, for the purpose of constructing or purchasing waterworks for furnishing a supply of water to the inhabitants of such city, or for the purpose of constructing sewers, and for no other purpose whatever. All bonds or obligations in excess of the amount of indebtedness permitted by this Constitution, given by any city, county, township, town, school district, or any other political subdivision, shall be void.

OHIO.

7. X.

The commissioners of counties, the trustees of townships and similar boards shall have power of local taxation for police purposes as may be prescribed by law.

OREGON.

1. XI.

The Legislative Assembly shall not have the power to establish or incorporate any bank, or banking company, or moneyed institution whatever, nor shall any bank company, or institution exist in the State with the privilege of making, issuing, or putting into circulation any bill, check, certificate, promissory note, or

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other paper, or the paper of any bank, company, or person, to circulate as money.

6. XI.

The State shall not subscribe to, or be interested in, the stock of any company, association or corporation.

9. XI.

No county, city, town, or other municipal corporation, by a vote of its citizens, or otherwise, shall become a stockholder in any joint stock company, corporation or association whatever, or raise money for, or loan its credit to, or in aid of, any such company, corporation or association.

PENNSYLVANIA.

7. IX.

The General Assembly shall not authorize any county, city, borough, township or incorporated district to become a stockholder in any company, association or corporation, or to obtain or appropriate money for, or to loan its credit to, any corporation, association, institution or individual.

8. IX.

The debt of any county, city, borough, township, school district or other municipality or incorporated district, except as herein provided, shall never exceed seven per centum upon the assessed value of the taxable property therein, nor shall any such municipality or district incur any new debt, or increase its indebtedness to an amount exceeding two per centum upon such assessed valuation of property, without the assent of the electors thereof at a public election, in such manner as shall be provided by law; but any city, the debt of which now exceeds seven per centum of such assessed valuation, may be au-

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thorized by law to increase the same three per centum, in the aggregate at any one time, upon such valuation.

11. XVI.

No corporate body to possess banking and discounting privileges shall be created or organized in pursuance of any law without three months' previous public notice, at the place of the intended location, of the intention to apply for such privileges, in such manner as shall be prescribed by law, nor shall a charter for such privilege be granted for a longer period than twenty years.

SOUTH CAROLINA.

1. XI.

Institutions for the benefit of the insane, blind, deaf and dumb and the poor shall always be fostered and supported by this State, and shall be subject to such regulations as the General Assembly may enact.

5. XI.

The respective counties of this State shall make such provision as may be determined by law for all those inhabitants who, by reason of age and infirmities and misfortunes may, have a claim upon the sympathy and aid of society.

SOUTH DAKOTA.

4. XIII.

The debt of any county, city, town, school district or other subdivision shall never exceed five per centum upon the assessed value of the taxable property therein.

2. XVIII.

Every bank, banking company or corporation shall be required to cease all banking operation within twenty years from the time of its organization, and promptly thereafter close its

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business, but shall have corporate capacity to sue or be sued until its business is fully closed; but the Legislature may provide by general law for the reorganization of such banks.

TENNESSEE.

29. II.

The General Assembly shall have power to authorize the several counties and incorporated towns in this State to impose taxes for county and corporation purposes respectively, in such manner as shall be prescribed by law; and all property shall be taxed according to its value, upon the principles established in regard to State taxation. But the credit of no county, city or town shall be given or loaned to or in aid of any person, company, association or corporation, except upon an election to be first held by the qualified voters of such county, city or town, and the assent of three-fourths of the votes cast at said election. Nor shall any county, city or town become a stockholder with others in any company, association or corporation, except upon a like election and the assent of a like majority. But the counties of Grainger, Hawkins, Hancock, Union, Campbell, Scott, Morgan, Grundy, Sumner, Smith, Fentress, Van Buren, White, Putnam, Overton, Jackson, Cumberland, Anderson, Henderson, Wayne, Marshall, Cocke, Coffee, Macon, and the new county herein authorized to be established out of fractions of Sumner, Macon and Smith counties, and Roane, shall be excepted out of the provisions of this section, so far that the assent of a majority of the qualified voters of either of said counties voting on the question shall be sufficient, when the credit of

Counties, etc., Not to Give or Loan Money, etc.

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such county is given or loaned to any person, association or corporation: Provided, That the exception of the counties above named shall not be in force beyond the year one thousand eight hundred and eighty, and after that period they shall be subject to the three-fourths majority applicable to the other counties of the State.

TEXAS.**52. III.**

The Legislature shall have no power to authorize any county, city, town, or other political corporation or subdivision of the State to lend its credit or to grant public money or thing of value in aid of or to any individual, association or corporation whatsoever, or to become a stockholder in such corporation, association or company.

9. VIII.

The State tax on property, exclusive of the tax necessary to pay the public debt and of the taxes provided for the benefit of public free schools, shall never exceed thirty-five cents on the one hundred dollars valuation; and no county, city or town shall levy more than twenty-five cents for city or county purposes, and not exceed fifteen cents for roads and bridges on the one hundred dollars valuation, except for the payment of debts incurred prior to the adoption of the amendment, September 25, A. D. 1833; and for the erection of public buildings, streets, sewers, water-works and other permanent improvements, not to exceed twenty-five cents on the one hundred dollars valuation in any one year, and except as is in this Constitution otherwise provided; and the Legislature may also authorize an additional an-

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nual ad valorem tax to be levied and collected for the further maintenance of the public roads: Provided, That a majority of the qualified property tax paying voters of the county, voting at an election to be held for that purpose, shall vote such tax, not to exceed fifteen cents on the one hundred dollars valuation of the property subject to taxation in such county. And the Legislature may pass local laws for the maintenance of public roads and highways without the local notice required for special or local laws.

3. XI.

No county, city or other municipal corporation shall hereafter become a subscriber to the capital of any private corporation or association, or make any appropriation or donation to the same, or in any wise loan its credit; but this shall not be construed to in any way affect any obligation heretofore undertaken pursuant to law.

4. XI.

Cities and towns having a population of ten thousand inhabitants or less may be chartered alone by general law. They may levy, assess and collect an annual tax to defray the current expenses of their local government, but such tax shall never exceed, for any one year, one-fourth of one per cent, and shall be collectable only in current money. And all license and occupation tax levied, and all fines, forfeitures, penalties and other dues accruing to cities and towns, shall be collectable only in current money.

5. XI.

Cities having more than ten thousand inhabitants may have their charters granted or amended by special act of the Legislature,

Counties, etc., Not to Give or Loan Money, etc.

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and may levy, assess and collect such taxes as may be authorized by law, but no tax for any purpose shall ever be lawful, for any one year which shall exceed two and one-half per cent of the taxable property of such city; and no debt shall ever be created by any city unless at the same time provision be made to assess and collect annually a sufficient sum to pay the interest thereon and create a sinking fund of at least two per cent thereon.

8. XVI.

Each county in the State may provide in such manner as may be prescribed by law, a manual labor poor-house and farm, for taking care of, managing, employing and supplying the wants of its indigent and poor inhabitants.

16. XVI.

No corporate body shall hereafter be created, renewed or extended with banking or discounting privileges.

WASHINGTON.**6. VIII.**

No county, city, town, school district or other municipal corporation, shall for any purpose become indebted in any manner to an amount exceeding one and one-half per centum of the taxable property in such county, city, town, school district or other municipal corporation, without the assent of three-fifths of the voters therein, voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed five per centum on the value of the taxable property therein, to be ascertained by the last assessment for State and county purposes previous to the incurring of such indebtedness;

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except that in incorporated cities the assessment shall be taken from the last assessment for city purposes: Provided, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly county, city, town, school district or other municipal purposes: Provided, further, that any city or town, with such assent may be allowed to become indebted to a larger amount, but not exceeding five per centum additional, for supplying such city or town with water, artificial light and sewers, when the works for supplying such water, light and sewers shall be owned and controlled by the municipality.

7. VIII.

No county, city, town, or other municipal corporation shall hereafter give any money or property, or loan its money or credit, to or in aid of any individual, association, company or corporation, except for the necessary support of the poor and infirm, or become directly or indirectly the owner of any stock in or bonds of any association, company or corporation.

WEST VIRGINIA.**6. X.**

The credit of the State shall not be granted to, or in aid of any county, city, township, corporation or person; nor shall the State ever assume or become responsible for the debts or liabilities of any county, city, township, corporation or person; nor shall the State ever hereafter become a joint owner, or stockholder, in any company or association in this State or elsewhere, formed for any purpose whatever.

7. X.

County authorities shall never as-

Counties, etc., Not to Give or Loan Money, etc.

Sec. Art.

sess taxes, in any one year, the aggregate of which shall exceed ninety-five cents per one hundred dollars valuation, except for the support of free schools; payment of indebtedness existing at the time of the adoption of this Constitution; and for the payment of any indebtedness, with the interest thereon, created under the succeeding section, unless such assessment, with all questions involving the increase of such aggregate, shall have been submitted to the vote of the people of the county, and have received three-fifths of all the votes cast for and against it.

8. X.

No county, city school district, or municipal corporation, except in cases where such corporations have already authorized their bonds to be issued, shall hereafter be allowed to become indebted, in any manner, or for any purpose, to an amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein to be ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness; nor without, at the same time, providing for the collection of a direct annual tax, sufficient to pay, annually, the interest on such debt, and the principal thereof, within and not exceeding thirty-four years: Provided, That no debt shall be contracted under this section, unless all questions connected with the same shall have been first submitted to a vote of the people, and have received three-fifths of all the votes cast for and against the same.

WISCONSIN.**4. XI.**

The Legislature shall not have power to create, authorize, or

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incorporate, by any general or special law, any bank or banking power or privilege, or any institution or corporation, having any banking power or privilege whatever, except as provided in this article.

5. XI.

The Legislature may submit to the voters at any general election, the question of "bank or no bank," and if at any such election a number of votes equal to a majority of all the votes cast at such election on that subject shall be in favor of banks, then the Legislature shall have power to grant bank charters, or to pass a general banking law, with such restrictions, and under such regulations as they may deem expedient and proper for the security of the bill holders: Provided, That no such grant or law shall have any force or effect until the same shall have been submitted to a vote of the electors of the State at some general election, and been approved by a majority of the votes cast on that subject at such election.

WYOMING.**3. X.**

No county in the State of Wyoming shall in any manner create any indebtedness, exceeding two per centum on the assessed value of taxable property in such county, as shown by the last general assessment, preceding: Provided, however, that any county, city, town, village or other sub-division thereof in the State of Wyoming, may bond its public debt existing at the time of the adoption of this Constitution, in any sum not exceeding four per centum of the assessed value of the taxable property in such county, city, town, village or other sub-division, as shown by

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the last general assessment for taxation.

6. XV.

No incorporated city or town shall levy a tax to exceed eight mills on the dollar in any one year, except for the payment of its public debt and the interest thereon.

5. XVI.

No city, town or village, or any sub-division thereof, or any sub-division of any county of the State of Wyoming, shall, in any manner, create any indebtedness

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exceeding two per centum of the assessed value of the taxable property therein; provided, however, that any city, town or village may be authorized to create an additional indebtedness, not exceeding four per centum of the assessed value of the taxable property therein as shown by the last preceding general assessment, for the purpose of building sewerage therein. Debts contracted for supplying water to such city or town are excepted from the operation of this section.

State Board of Charities.

STATE BOARD OF CHARITIES.

1 Sec. 11. The Legislature shall provide for a State Board
2 of Charities, which shall visit and inspect all institutions
3 whether State, county, municipal incorporated or not incor-
4 porated, which are of a charitable, eleemosynary, correctional
5 or reformatory character excepting only such institutions as
6 are hereby made subject to the visitation and inspection of
7 either of the commissions hereinafter mentioned, but including
8 all reformatories except those in which adult males convicted
9 of felony shall be confined; a State Commission in Lunacy,
10 which shall visit and inspect all institutions, either public, or
11 private, used for the care and treatment of the insane (not
12 including institutions for epileptics or idiots); a State Com-
13 mission of Prisons which shall visit and inspect all institutions
14 used for the detention of sane adults charged with or con-
15 victed of crime, or detained as witnesses or debtors.

1 Sec. 12. The members of the said board and of the
2 said commissions shall be appointed by the Governor, by and
3 with the advice and consent of the Senate; and any member
4 may be removed from office by the Governor for cause, an
5 opportunity having been given him to be heard in his defense.

Inspection of Institutions.

INSPECTION OF INSTITUTIONS.

1 Sec. 13. Existing laws relating to institutions referred
2 to in the foregoing sections and to their supervision and
3 inspection, in so far as such laws are not inconsistent with the
4 provisions of the Constitution, shall remain in force until
5 amended or repealed by the Legislature. The visitation and
6 inspection herein provided for, shall not be exclusive of other
7 visitation and inspection now authorized by law.

MAINTENANCE OF CHARITABLE INSTITUTIONS.

1 Sec. 14. Nothing in this Constitution contained shall
2 prevent the Legislature from making such provision for the
3 education and support of the blind, the deaf and dumb, and
4 juvenile delinquents, as to it may seem proper; or prevent any
5 county, city, town or village from providing for the care, sup-
6 port, maintenance and secular education, of inmates of orphan
7 asylums, homes for dependent children or correctional institu-
8 tions, whether under public or private control. Payments by
9 counties, cities, towns and villages to charitable, eleemosynary,
10 correctional and reformatory institutions, wholly or partly
11 under private control, for care, support and maintenance, may
12 be authorized, but shall not be required by the Legislature.
13 No such payments shall be made for any inmate of such insti-
14 tutions who is not received and retained therein pursuant to
15 rules established by the State Board of Charities. Such rules
16 shall be subject to the control of the Legislature by general
17 laws.

COMMISSIONERS—TERMS OF OFFICE, ETC.

1 Sec. 15. Commissioners of the State Board of Charities
2 and commissioners of the State Commission in Lunacy, now
3 holding office, shall be continued in office for the term for which
4 they were appointed, respectively, unless the Legislature shall
5 otherwise provide. The Legislature may confer upon the
6 commissioners and upon the board mentioned in the fore-
7 going sections any additional powers that are not inconsistent
8 with other provisions of the Constitution.

General Provisions.

GENERAL PROVISIONS.

Corporations not to Issue Stock Except for Money or Work Done.

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ALABAMA.**6. XIV.**

No corporation shall issue stock or bonds except for money, labor done or money or property actually received; and all fictitious increase of stock or indebtedness shall be void. The stock and bonded indebtedness of corporations shall not be increased, except in pursuance of general laws, nor without the consent of the persons holding the larger amount in value of stock, first obtained at a meeting to be held after thirty days' notice given in pursuance of law.

CALIFORNIA.**11. XII.**

No corporation shall issue stock or bonds, except for money paid, labor done or property actually received, and all fictitious increase of stock or indebtedness shall be void. The stock and bonded indebtedness of corporations shall not be increased, except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock, at a meeting called for that purpose, giving sixty days' public notice, as may be provided by law.

COLORADO.**9. XV.**

No corporation shall issue stocks or bonds, except for labor done, services performed or money or property actually received, and all fictitious increase of stock or indebtedness shall be void. The stock of corporations shall not

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be increased except in pursuance of general law, nor without the consent of the persons holding a majority of the stock, first obtained at a meeting held after at least thirty days' notice, given in pursuance of law.

IDAHO.**9. XI.**

No corporation shall issue stocks or bonds, except for labor done, services performed or money or property actually received; and all fictitious increase of stock or indebtedness shall be void. The stock of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding a majority of the stock, first obtained at a meeting held after at least thirty days' notice given in pursuance of law.

ILLINOIS.**13. XI.**

No railroad corporation shall issue any stock or bonds, except for money, labor or property actually received and applied to the purposes for which such corporation was created; and all such dividends and other fictitious increase of capital stock or indebtedness of any such corporation shall be void. The capital stock of no railroad corporation shall be increased for any purpose except upon giving sixty days' public notice, in such manner as may be provided by law.

KENTUCKY.**193.**

No corporation shall issue stocks

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or bonds, except for an equivalent in money paid or labor done, or property actually received and applied to the purposes for which such corporation was created, and neither labor nor property shall be received in payment of stock or bonds at a greater value than the market price at the time said labor was done or property delivered, and all fictitious increase of stock or indebtedness shall be void.

LOUISIANA.

Art. 238. No corporation shall issue stock nor bonds, except for labor done or money or property actually received, and all fictitious issues of stock shall be void, and any corporation issuing such fictitious stock shall forfeit its charter.

MISSISSIPPI.**196. VII.**

No transportation corporation shall issue stocks or bonds, except for money, labor done, or in good faith agreed to be done, or money or property actually received; and all fictitious increase of stock or indebtedness shall be void.

MISSOURI.**8. XII.**

No corporation shall issue stock or bonds, except for money paid, labor done or property actually received, and all fictitious increase of stock or indebtedness shall be void. The stock and bonded indebtedness of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock, first obtained at a meeting called for the purpose, first giving sixty days' public

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notice, as may be provided by law.

MONTANA.**10. XV.**

No corporation shall issue stocks or bonds, except for labor done, services performed or money and property actually received; and all fictitious increase of stock or indebtedness shall be void. The stock of corporations shall not be increased, except in pursuance of general law, nor without the consent of the persons holding a majority of the stock, first obtained at a meeting held after at least thirty days' notice given in pursuance of law.

NEBRASKA.**5. XII.**

No railroad corporation shall issue any stock or bonds, except for money, labor or property actually received and applied to the purposes for which such corporation was created, and all stock, dividends and other fictitious increase of the capital stock or indebtedness of any such corporation shall be void. The capital stock of railroad corporations shall not be increased for any purpose except after public notice for sixty days, in such manner as may be provided by law.

NORTH DAKOTA.**138. VII.**

No corporation shall issue stock or bonds, except for money, labor done or money or property actually received, and all fictitious increase of stock or indebtedness shall be void.

The stock and indebtedness of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock,

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first obtained at a meeting to be held after sixty days' notice, given in pursuance of law.

PENNSYLVANIA.

7. XVI.

No corporation shall issue stocks or bonds, except for money, labor done or money or property actually received, and all fictitious increase of stock or indebtedness shall be void. The stock and indebtedness of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty days' notice, given in pursuance of law.

SOUTH DAKOTA.

8. XVII.

No corporation shall issue stocks or bonds, except for money, labor done or money or property actually received, and all fictitious increase of stock or indebtedness shall be void. The stock and indebtedness of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty days' notice, given in pursuance of law.

TEXAS.

6. XII.

No corporation shall issue stock or bonds, except for money paid, labor done or property actually received, and all ficti-

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tious increase of stock or indebtedness shall be void.

WASHINGTON.

6. XII.

Corporations shall not issue stock, except to bona fide subscribers therefor or their assignee; nor shall any corporation issue any bond, or other obligation, for the payment of money, except for money or property received or labor done. The stock of corporations shall not be increased except in pursuance of a general law, nor shall any law authorize the increase of stock without the consent of the person or persons holding the larger amount in value of the stock, nor without due notice of the proposed increase having been previously given, in such manner as may be prescribed by law. All fictitious increase of stock or indebtedness shall be void.

11. XII.

No corporation, association or individual shall issue or put in circulation as money anything but the lawful money of the United States. Each stockholder of any banking or insurance corporation or joint stock association shall be individually and personally liable equally and ratably, and not one for another, for all contracts, debts and engagements of such corporation or association accruing while they remain such stockholders to the extent of the amount of their stock therein at the par value thereof, in addition to the amount invested in such shares.

General Provisions.

Corporations Must Have One or More Places of Business in the State.

Sec. Art.

ALABAMA.**4. XIV.**

No foreign corporation shall do any business in this State without having at least one known place of business and an authorized agent or agents therein, and such corporation may be sued in any county where it does business by service of process upon an agent anywhere in this State.

ARKANSAS.**11. XII.**

Foreign corporations may be authorized to do business in this State under such limitations and restrictions as may be prescribed by law: Provided, That no such corporation shall do any business in this State except while it maintains therein one or more known places of business and an authorized agent or agents in the same upon whom process may be served; and, as to contracts made and business done in this State, they shall be subject to the same regulations, limitations and liabilities as like corporations of this State, and shall exercise no other or greater powers, privileges or franchises than may be exercised by like corporations of this State, nor shall they have power to condemn or appropriate private property.

CALIFORNIA.**14. XII.**

Every corporation, other than religious, educational or benevolent, organized or doing business in this State, shall have and maintain an office or place in this State for the transaction of its business, where transfers of

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stock shall be made, and in which shall be kept, for inspection by every person having an interest therein, and legislative committees, books in which shall be recorded the amount of capital stock subscribed, and by whom; the names of the owners of its stock, and the amounts owned by them, respectively; the amount of stock paid in, and by whom; the transfers of stock; the amount of its assets and liabilities, and the names and places of residence of its officers.

IDAHO.**10. XI.**

No foreign corporation shall do any business in this State without having one or more known places of business, and an authorized agent or agents in the same, upon which process may be served, and no company or corporation formed under the laws of any other county, State or Territory shall have or be allowed to exercise or enjoy, within this State any greater rights or privileges than those possessed or enjoyed by corporations of the same or similar character created under the laws of this State.

KENTUCKY.**194.**

All corporations formed under the laws of this State, or carrying on business in this State, shall, at all times, have one or more known places of business in this State, and an authorized agent or agents there, upon whom process may be executed, and the General Assembly shall enact laws to carry into effect the provisions of this section.

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LOUISIANA.**236.**

No foreign corporation shall do any business in this State without having one or more known places of business and an authorized agent or agents in the State upon whom process may be served.

MONTANA.**11. XV.**

No foreign corporation shall do business in this State without having one or more known places of business, and an authorized agent or agents in the same, upon whom process may be served. And no company or corporation formed under the laws of any other country, State or territory, shall have, or be allowed to exercise, or enjoy within this State any greater rights or privileges than those possessed or enjoyed by corporations of the same or similar character created under the laws of the State.

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NORTH DAKOTA.**136. VII.**

No foreign corporation shall do business in this State without having one or more places of business and an authorized agent or agents in the same, upon whom process may be served.

PENNSYLVANIA.**5. XVI.**

No foreign corporation shall do any business in this State without having one or more known places of business and an authorized agent or agents in the same upon whom process may be served.

SOUTH DAKOTA.**6. XVII.**

No foreign corporation shall do any business in this State without having one or more known places of business and an authorized agent or agents in the same upon whom process may be served.

Foreign Corporations not to have Privileges which Domestic Corporations do not have.

CALIFORNIA.**15. XII.**

No corporation organized outside the limits of this State shall be allowed to transact business within this State on more favorable conditions than are prescribed by law to similar corporations organized under the laws of this State.

KENTUCKY.**202.**

No corporation organized outside the limits of this State shall be allowed to transact business within the State on more favorable conditions than are prescribed by law to similar corporations organized under the laws of this Commonwealth.

LOUISIANA.

Art. 217. Corporations, companies

or associations organized or domiciled out of this State, but doing business herein, may be licensed by a mode different from that provided for home corporations or companies: Provided, Said different mode of license shall be uniform, upon a graduated system, as to all such corporations, companies or associations that transact the same kind of business.

WASHINGTON.**7. XII.**

No corporation organized outside the limits of this State shall be allowed to transact business within the State on more favorable conditions than are prescribed by law to similar corporations organized under the laws of this State.

General Provisions.

Existing Charters.

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ALABAMA.**2. XIV.**

All existing charters or grants of special or exclusive privileges under which a bona fide organization shall not have taken place and business been commenced in good faith, at the time of the ratification of this Constitution, shall thereafter have no validity.

ARKANSAS.**1. XII.**

All existing charters or grants of special or exclusive privileges under which a bona fide organization shall not have taken place and business been commenced in good faith, at the time of the adoption of this Constitution, shall thereafter have no validity.

CALIFORNIA.**6. XII.**

All existing charters, grants, franchises, special or exclusive privileges under which an actual and bona fide organization shall not have taken place and business been commenced in good faith, at the time of the adoption of this Constitution, shall hereafter have no validity.

IDAHO.**1. XI.**

All existing charters or grants of special or exclusive privileges, under which the corporators or grantees shall not have organized or commenced business in good faith, at the time of the adoption of this Constitution, shall thereafter have no validity.

ILLINOIS.**2. XI.**

All existing charters or grants of special or exclusive privileges,

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under which organization shall not have taken place, or which shall not have been in operation within ten days from the time this Constitution takes effect, shall thereafter have no validity or effect whatever.

MISSISSIPPI.**180. VII.**

All existing charters or grants of corporate franchises, under which organizations have not in good faith taken place at the adoption of this Constitution, shall be subject to the provisions of this article; and all such charters under which organizations shall not take place in good faith and business be commenced within one year from the adoption of this Constitution, shall thereafter have no validity; and every charter or grant of corporate franchise hereafter made shall have no validity unless an organization shall take place thereunder and business be commenced within two years from the date of such charter or grant.

MISSOURI.**1. XII.**

All existing charters or grants of special or exclusive privileges, under which a bona fide organization shall not have taken place and business been commenced in good faith, at the adoption of this Constitution, shall thereafter have no validity.

MONTANA.**1. XV.**

All existing charters or grants of special or exclusive privileges, under which the corporations or grantees shall not have organized or commenced business in

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good faith at the time of the adoption of this Constitution, shall hereafter have no validity.

6. XIII. NEBRASKA.

All existing charters or grants of special or exclusive privileges, under which organization shall not have taken place, or which shall not be in operation within sixty days from the time this Constitution takes effect, shall thereafter have no validity or effect whatever.

NORTH DAKOTA.

132. VII.

All existing charters or grants of special or exclusive privileges, under which a bona fide organization shall not have taken place and business been commenced in good faith, at the time this Constitution takes effect shall thereafter have no validity.

PENNSYLVANIA.

1. XVI.

All existing charters or grants of special or exclusive privileges, under which a bona fide organization shall not have taken place and business been commenced in good faith, at the time of the adoption of this Constitution, shall thereafter have no validity.

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SOUTH DAKOTA.

2. XVII.

All existing charters or grants of special or exclusive privileges, under which a bona fide organization shall not have taken place and business been commenced in good faith, at the time this Constitution takes effect, shall thereafter have no validity.

WASHINGTON.

2. XII.

All existing charters, franchises, special or exclusive privileges, under which an actual and bona fide organization shall not have taken place and business been commenced in good faith, at the time of the adoption of this Constitution, shall thereafter have no validity.

WEST VIRGINIA.

3. XI.

All existing charters or grants of special or exclusive privileges, under which organization shall not have taken place, or which shall not have been in operation within two years from the time this Constitution takes effect, shall thereafter have no validity or effect whatever: Provided, That nothing herein shall prevent the execution of any bona fide contract heretofore lawfully made in relation to any existing charter or grant in this State.

Corporations not to Engage in any other Business than that Permitted in their Charter.

ALABAMA.

5. XIV.

No corporation shall engage in any business other than that expressly authorized in its charter.

CALIFORNIA.

9. XII.

No corporation shall engage in any business other than that expressly authorized in its charter

or the law under which it may have been or hereafter may be organized; nor shall it hold for a longer period than five years any real estate, except such as may be necessary for carrying on its business.

KENTUCKY.

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No corporation shall engage in

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business other than that expressly authorized by its charter or the law under which it may have been or may hereafter be organized; nor shall it hold any real estate, except such as may be proper and necessary for carrying on its legitimate business, for a longer period than five years, under penalty of escheat.

LOUISIANA.**237.**

No corporation shall engage in any business other than that expressly authorized in its charter or incidental thereto, nor shall it take or hold any real estate for a longer period than ten years, except such as may be necessary and proper for its legitimate business or purposes.

MISSOURI.**7. XII.**

No corporation shall engage in any business other than that expressly authorized in its charter or the law under which it may have been or hereafter may be organized; nor shall it hold any real estate for any longer period than six years, except such as may be necessary and proper for carrying on its legitimate business.

IDAHO.**18. XI.**

That no incorporated company, or any association of persons or stock company, in the State of Idaho, shall directly or indirectly combine or make any contract with any other incorporated company, foreign or domestic, through their stockholders or the trustees or assignees of such stockholders, or in any manner whatsoever, for the purpose of fixing the price or regulating the production of any article of commerce or of produce of the

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NORTH DAKOTA.**137. VII.**

No corporation shall engage in any business other than that expressly authorized in its charter.

PENNSYLVANIA.**6. XVI.**

No corporation shall engage in any business other than that expressly authorized in its charter, nor shall it take or hold any real estate except such as may be necessary and proper for its legitimate business.

SOUTH DAKOTA.**7. XVII.**

No corporation shall engage in any business other than that expressly authorized in its charter, nor shall it take or hold any real estate except such as may be necessary and proper for its legitimate business.

WYOMING.**6. X.**

No corporation shall have power to engage in more than one general line or department of business, which line of business shall be distinctly specified in its charter of incorporation.

Combinations, Trusts, etc. Illegal.

soil, or of consumption by the people; and that the Legislature be required to pass laws for the enforcement thereof, by adequate penalties, to the extent, if necessary for that purpose, of the forfeiture of their property and franchise.

MINNESOTA.**35. IV.**

Any combinations of persons, either as individuals or as members or officers of any corporation, to monopolize the markets for food products in this State,

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or to interfere with, or restrict the freedom of such markets, is hereby declared to be a criminal conspiracy, and shall be punished in such manner as the Legislature may provide.

MISSISSIPPI.**198. VII.**

The Legislature shall enact laws to prevent all trusts, combinations, contracts and agreements inimical to the public welfare.

MONTANA.**20. XV.**

No corporation, stock company, person or association of persons, in the State of Montana, shall directly or indirectly combine or form what is known as a trust, or make any contract with any person or persons, corporation or stock company, foreign or domestic, through their stockholders, trustees, or in any manner whatever, for the purpose of fixing the price, or regulating the production of any article of commerce, or of the product of the soil, for consumption by the people. The Legislative Assembly shall pass laws for the enforcement thereof by adequate penalties to the extent, if necessary for that purpose, of the forfeiture of their property and franchises, and in case of foreign corporations prohibiting them from carrying on business in the State.

NORTH DAKOTA.**146. VII.**

Any combination between individuals, corporations, associations, or either, having for its object or effect the controlling of the price of any product of the soil or any article of manufacture or

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commerce, or the cost of exchange or transportation, is prohibited and hereby declared unlawful and against public policy, and any and all franchises heretofore granted or extended, or that may hereafter be granted or extended in this State, whenever the owner or owners thereof violate this article, shall be deemed annulled and become void.

WASHINGTON.**22. XII.**

Monopolies and trusts shall never be allowed in this State, and no incorporated company, co-partnership or association of persons in this State shall directly or indirectly combine or make any contract with any other incorporated company, foreign or domestic, through their stockholders, or the trustees or assignees of such stockholders, or with any co-partnership or association of persons, or in any manner whatever for the purpose of fixing the price or limiting the production or regulating the transportation of any product or commodity. The Legislature shall pass laws for the enforcement of this section by adequate penalties, and in case of incorporated companies, if necessary for that purpose, may declare a forfeiture of their franchises.

WYOMING.**8. X.**

There shall be no consolidation or combinations of corporations of any kinds whatever to prevent competition, to control or influence productions or prices thereof, or in any manner to interfere with the public good and general welfare.

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Provisions for the Election of Directors and Managers.

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CALIFORNIA.

12. XII.

In all elections for directors or managers of corporations every stockholder shall have the right to vote, in person or by proxy, the number of shares of stock owned by him, for as many persons as there are directors or managers to be elected, or to cumulate said shares and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock shall equal, or to distribute them, on the same principle, among as many candidates as he shall think fit; and such directors or managers shall not be elected in any other manner, except that members of co-operative societies formed for agricultural, mercantile and manufacturing purposes may vote on all questions affecting such societies in manner prescribed by law.

IDAHO.

4. XI.

The Legislature shall provide by law that in all elections for directors or managers of incorporated companies, every stockholder shall have the right to vote in person or by proxy for the number of shares of stock owned by him, for as many persons as there are directors or managers to be elected, or to cumulate said shares, and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock shall equal, or to distribute them on the same principle among as many candidates as he shall think fit, and such directors shall not be elected in any other manner.

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ILLINOIS.

3. XI.

The General Assembly shall provide by law that in all elections for directors or managers of incorporated companies, every stockholder shall have the right to vote, in person or by proxy, for the number of shares owned by him, for as many persons as there are directors or managers to be elected, or to cumulate said shares, and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and such directors or managers shall not be elected in any other manner.

KENTUCKY.

207.

In all elections for directors or managers of any corporation, each shareholder shall have the right to cast as many votes in the aggregate as he shall be entitled to vote in said company under its charter, multiplied by the number of directors or managers to be elected at such election; and each shareholder may cast the whole number of votes, either in person or by proxy, for one candidate, or distribute such votes among two or more candidates, and such directors or managers shall not be elected in any other manner.

MISSISSIPPI.

194. VII.

The Legislature shall provide by law that in all elections for directors or managers of incor-

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porated companies, every stockholder shall have the right to vote, in person or by proxy, for the number of shares of stock owned by him for as many persons as there are directors or managers to be elected, or to cumulate said shares, so as to give one candidate as many votes as the number of directors multiplied by the number of his shares of stock shall equal, or to distribute them on the same principle among as many candidates as he shall see fit; and such directors or managers shall not be elected in any other manner; but no person who is engaged or interested in a competing business, either individually or as employe, or stockholder, shall serve on any board of directors of any corporation without the consent of a majority in interest of the stockholders thereof.

MISSOURI.

6. XII.

In all elections for directors or managers of any incorporated company, each shareholder shall have the right to cast as many votes in the aggregate as shall equal the number of shares so held by him or her in said company, multiplied by the number of directors or managers to be elected at such election; and each shareholder may cast the whole number of votes, either in person or by proxy, for one candidate, or distribute such votes among two or more candidates; and such directors or managers shall not be elected in any other manner.

MONTANA.

4. XV.

The Legislative Assembly shall provide by law that in all elections for directors or trustees of incorporated companies,

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every stockholder shall have the right to vote, in person or by proxy, the number of shares of stock owned by him for as many persons as there are directors or trustees to be elected, or to cumulate said shares and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock shall equal, or to distribute them, on the same principle, among as many candidates as he shall think fit, and such directors or trustees shall not be elected in any other manner.

NEBRASKA.

5. XIII.

The Legislature shall provide by law that in all elections for directors or managers of incorporated companies every stockholder shall (have) the right to vote, in person or by proxy, for the number of shares of stock owned by him, for as many persons as there are directors or managers to be elected, or to cumulate said shares and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock shall equal, or to distribute them upon the same principle among as many candidates as he shall think fit; and such directors or managers shall not be elected in any other manner.

NORTH DAKOTA.

135. VII.

In all elections for directors or managers of a corporation each member or shareholder may cast the whole number of his votes for one candidate, or distribute them upon two or more candidates, as he may prefer.

PENNSYLVANIA.

4. XVI.

In all elections for directors or

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managers of a corporation each member or shareholder may cast the whole number of his votes for one candidate, or distribute them upon two or more candidates, as he may prefer.

WEST VIRGINIA.**4. XI.**

The Legislature shall provide by law that in all elections for directors or managers of incorporated companies, every stockholder shall have the right to vote, in person or by

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proxy, for the number of shares of stock owned by him, for as many persons as there are directors or managers to be elected, or to cumulate said shares and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and such directors or managers shall not be elected in any other manner.

*Employes—Their Protection and Rights***CALIFORNIA.****15. XV.**

It shall be unlawful for any person, company or corporation to require of its servants or employes, as a condition of their employment or otherwise, any contract or agreement whereby such person, company or corporation shall be released or discharged from liability or responsibility on account of personal injuries received by such servants or employes while in the service of such person, company or corporation, by reason of the negligence of such person, company or corporation, or the agents or employes thereof, and such contracts shall be absolutely null and void.

MISSISSIPPI.**191. VII.**

The Legislature shall provide for the protection of the employes of all corporations doing business in this State from interference with their social, civil, or political rights by said corporations, their agents or employes.

193. VII.

Every employe of any railroad corporation shall have the same

right and remedies for any injury suffered by him from the act or omission of said corporation of its employes as are allowed by law to other persons not employes, where the injury results from the negligence of a superior agent or officer, or of a person having the right to control or direct the services of the party injured, and also when the injury results from the negligence of a fellow-servant engaged in another department of labor from that of the party injured, or of a fellow-servant on another train of cars, or one engaged about a different piece of work. Knowledge by any employe injured of the defective or unsafe character or condition of any machinery, ways or appliances, shall be no defense to an action for injury caused thereby, except as to conductors or engineers in charge of dangerous or unsafe cars or engines voluntarily operated by them. Where death ensues from any injury to employes, the legal or personal representatives of the person injured shall have the same right and reme-

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dies as are allowed by law to such representatives of other persons. Any contract or agreement, express or implied, made by any employe to waive the benefit of this section shall be null and void; and this section shall not be construed to deprive any employe of a corporation, or his legal or personal representative, of any right or remedy that he now has by the law of the land. The Legislature may extend the remedies herein provided for to any other class of employes.

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SOUTH DAKOTA.**23. I.**

Every citizen of this State shall be free to obtain employment wherever possible, and any person, corporation, or agent thereof, maliciously interfering or hindering in any way any citizen from obtaining or enjoying employment already obtained, from any other corporation or person, shall be deemed guilty of misdemeanor.

212. XVII.

The exchange of "black lists" between corporations shall be prohibited.

*Miscellaneous Corporations.***ALABAMA.****6. XI.**

The property of private corporations, associations and individuals of this State, shall forever be taxed at the same rate: Provided, This section shall not apply to institutions or enterprises devoted exclusively to religious, educational or charitable purposes.

9. XIV.

No corporation shall issue preferred stock without the consent of the owners of two-thirds of the stock of said corporation.

ARKANSAS.**33. V.**

No obligation or liability of any railroad or other corporation held or owned by this State shall ever be exchanged, transferred, remitted, postponed or in any way diminished by the General Assembly; nor shall such liability or obligation be released except by payment thereof into the State Treasury.

CALIFORNIA.**18. XII.**

No president, director, officer, agent or employe of any railroad or canal company shall be in-

terested, directly or indirectly, in the furnishing of material or supplies to such company, nor in the business of transportation as a common carrier of freight or passengers over the works, owned, leased, controlled or worked by such company, except such interest in the business of transportation as lawfully flows from the ownership of stock therein.

17. XX.

Eight hours shall constitute a legal day's work on all public work.

COLORADO.**10. X.**

All corporations in this State, or doing business therein, shall be subject to taxation for State, county, school, municipal or other purposes, on the real and personal property owned or used by them within the territorial limits of the authority levying the tax.

DELAWARE.**17. II.**

No act of incorporation, except for the renewal of existing corporations, shall be hereafter enacted without the concurrence

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by a two-thirds of each branch of the Legislature; and with a reserved power of revocation by the Legislature; and no act of incorporation which may be hereafter enacted, shall continue in force for a longer period than twenty years, without the re-enactment of the Legislature, unless it be an incorporation for public improvement. (The Legislature shall have power to enact a general incorporation act to provide incorporation for religious, charitable, literary and manufacturing purposes, for the preservation of animal and vegetable food, building and loan associations, and for draining low lands; and no attempt shall be made, in such act or otherwise, to limit or qualify the power of revocation reserved to the Legislature in this section.)

GEORGIA.

12. III.

Par. I. All life insurance companies now doing business in this State, or which may desire or establish agencies and do business in the State of Georgia, chartered by other States of the Union, or foreign States, shall show that they have deposited with the Comptroller-General of the State in which they are chartered, or of this State, the insurance commissioners, or such other officer as may be authorized to receive it, not less than one hundred thousand dollars, in such securities as may be deemed by such officer equivalent to cash, subject to his order, as a guarantee fund for the security of policy-holders.

Par. III. All life insurance companies, chartered by the State of Georgia, or which may hereafter be chartered by the State, shall, before doing business, de-

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posit with the Comptroller-General of the State of Georgia, or with some strong corporation, which may be approved by the Comptroller-General, one hundred thousand dollars, in such securities as may be deemed by him equivalent to cash, to be subject to his order, as a guarantee fund for the security of the policy-holders of the company making such deposit, all interests and dividends arising from such securities to be paid, when due, to the company so depositing. Any such securities as may be needed or desired by the company may be taken from said department at any time by replacing them with other securities equally acceptable to the Comptroller-General, whose certificate for the same shall be furnished to the company.

2. IV.

Par. IV. The General Assembly of this State shall have no power to authorize any corporation to buy shares, or stock, in any other corporation in this State, or elsewhere, or to make any contract, or agreement whatever with any such corporation, which may have the effect, or be intended to have the effect, to defeat or lessen competition in their respective businesses, or to encourage monopoly; and all such contracts and agreements shall be illegal and void.

IDAHO.

3. XI.

The Legislature may provide by law for altering, revoking or annulling any charter of incorporation existing and revocable at the time of the adoption of this Constitution, in such manner, however, that no injustice shall be done to the corporators.

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7. XI.

No corporation other than municipal corporations in existence at the time of the adoption of this Constitution, shall have the benefit of any future legislation, without first filing in the office of the Secretary of State an acceptance of the provisions of this Constitution in binding form.

2. XIII.

Not more than eight (8) hours' actual work shall constitute a lawful day's work on all State and municipal works.

ILLINOIS.

14. XI.

The exercise of the power and the right of eminent domain shall never be so construed or abridged as to prevent the taking, by the General Assembly, of the property and franchises of incorporated companies already organized, and subjecting them to the public necessity the same as of individuals. The right of trial by jury shall be held inviolate in all trials of claims for compensation, when, in the exercise of the said right of eminent domain, any incorporated company shall be interested either for or against the exercise of said right.

1. XIII.

All elevators or storehouses where grain or other property is stored for a compensation, whether the property stored be kept separate or not, are declared to be public warehouses.

2. III.

The owner, lessee or manager of each and every public warehouse situated in any town or city of not less than one hundred thousand inhabitants, shall make weekly statements under oath, before some officer to be designated by law, and keep

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the same posted in some conspicuous place in the office of such warehouse, and shall also file a copy for public examination in such place as shall be designated by law, which statement shall correctly set forth the amount and grade of each and every kind of grain in such warehouse, together with such other property as may be stored therein, and what warehouse receipts have been issued, and are, at the time of making such statement, outstanding therefor; and shall, on the copy posted in the warehouse, note daily such changes as may be made in the quality and grade of grain in such warehouse; and the different grades of grain shipped in separate lots shall not be mixed with inferior or superior grades without the consent of the owner or consignee thereof.

3. XIII.

The owner of property stored in any warehouse, or holder of a receipt for the same, shall always be at liberty to examine such property stored, and all the books and records of the warehouse, in regard to such property.

KANSAS.

3. XII.

The title to all property of religious corporations, shall vest in trustees, whose election shall be by the members of such corporations.

KENTUCKY.

210.

No corporation engaged in the business of common carrier shall, directly or indirectly, own, manage, operate, or engage in any other business than that of a common carrier, or hold, own, lease or acquire, directly or indirectly, mines,

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factories or timber, except such as shall be necessary to carry on its business; and the General Assembly shall enact laws to give effect to the provisions of this section.

LOUISIANA.

Art. 207. The following property shall be exempt from taxation, and no other, viz.: All public property, places of religious worship or burial, all charitable institutions, all buildings and property used exclusively for colleges or other school purposes, the real and personal estate of any public library and that of any other literary association used by or connected with such library, all books and philosophical apparatus, and all paintings and statuary of any company or association kept in a public hall: Provided, The property so exempted be not used or leased for purposes of private or corporate profit or income. There shall also be exempt from taxation household property to the value of five hundred dollars. There shall also be exempt from taxation and license for a period of ten years from the adoption of this Constitution, the capital, machinery and other property employed in the manufacture of textile fabrics, leather, shoes, harness, saddlery, hats, flour, machinery, agricultural implements and furniture, and other articles of wood, marble or stone; soap, stationery, ink, paper, boat building and chocolate: Provided, That not less than five hands are employed in any one factory.

Art. 239. The stock shall not be increased, except in pursuance of general laws, nor without consent of persons holding

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the larger amount in value of the stock, first obtained at a meeting of stockholders to be held after thirty days' notice given in pursuance of law.

MICHIGAN.

10. V.

No corporation, except for municipal purposes, or for the construction of railroads, plank-roads and canals, shall be created for a longer time than thirty years; but the Legislature may provide by general laws applicable to any corporation, for one or more extensions of the term of such corporation while such term is running, not exceeding thirty years for each extension, on the consent of not less than a two-thirds majority of the capital of the corporation; and by like general laws for the corporate reorganization for a further period, not exceeding thirty years, of such corporation whose terms have expired by limitation, on the consent of not less than four-fifths of the capital: Provided, That in cases of corporations where there is no capital stock, the Legislature may provide the manner in which such corporations may be reorganized.

12. XV.

No corporation shall hold any real estate hereafter acquired, for a longer period than ten years, except such real estate as shall be actually occupied by such corporation in the exercise of its franchises.

9. XIX.

The charters of the several mining corporations may be modified by the Legislature in regard to the term limited for subscribing stock, and in relation to the quantity of land which a corporation shall hold:

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but the capital shall not be increased, nor the time for the existence of charters extended. No such corporation shall be permitted to purchase or hold any real estate, except such as shall be necessary for the exercise of its corporate franchises.

MINNESOTA.**4. X.**

Lands may be taken for public way, for the purpose of granting to any corporation the franchise of way for public use. In all cases, however, a fair and equitable compensation shall be paid for such land, and the damages arising from the taking of the same; but all corporations being common carriers, enjoying the right of way in pursuance of the provisions of this section, shall be bound to carry the mineral, agricultural and other productions of manufacturers on equal and reasonable terms.

MISSISSIPPI.**189. VII.**

All charters granted to private corporations in this State shall be recorded in the Chancery clerk's office of the county in which the principal office or place of business of such company shall be located.

181. VII.

The property of all private corporations for pecuniary gain shall be taxed in the same way and to the same extent as the property of individuals, but the Legislature may provide for the taxation of banks and banking capital, by taxing the shares according to the value thereof (augmented by the accumulations, surplus and unpaid dividends) exclusive of real estate, which shall be taxed as other real estate. Ex-

Sec. Art.

emptions from taxation to which corporations are legally entitled at the adoption of this Constitution, shall remain in full force and effect for the time of such exemptions as expressed in their respective charters, or by general laws, unless sooner repealed by the Legislature. And domestic insurance companies shall not be required to pay a greater tax in the aggregate than is required to be paid by foreign insurance companies doing business in this State, except to the extent of the excess of their ad valorem tax over the privilege tax imposed upon such foreign companies; and the Legislature may impose privilege taxes on building and loan associations in lieu of all other taxes except on their real estate.

MISSOURI.**8. II.**

That no religious corporation can be established in this State, except such as may be created under a general law for the purpose only of holding title to such real estate as may be prescribed by law for church edifices, parsonages and cemeteries.

10. XII.

No corporation shall issue preferred stock without the consent of all the stockholders.

22. XII.

No president, director, officer, agent or employe of any railroad company shall be interested, directly or indirectly, in furnishing material or supplies to such company, or in the business of transportation as a common carrier of freight or passengers over the works owned, leased, controlled or worked by such company.

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PENNSYLVANIA.**8. XVI.**

Municipal and other corporations and individuals invested with the privilege of taking private property for public use shall make just compensation for property taken, injured or destroyed by the construction or enlargement of their works, highways or improvements, which compensation shall be paid or secured before such taking, injury or destruction. The General Assembly is hereby prohibited from depriving any person of an appeal from any preliminary assessment of damages against any such corporation or individuals made by viewers or otherwise; and the amount of such damages in all cases of appeal shall, on the demand of either party, be determined by a jury according to the course of the common law.

5. XVII.

No incorporated company doing the business of a common carrier shall, directly or indirectly, prosecute or engage in mining or manufacturing articles for transportation over its works; nor shall such company, directly or indirectly, engage in any other business than that of common carriers, or hold or acquire lands, freehold or lease, directly or indirectly, except such as shall be necessary for

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carrying on its business; but any mining or manufacturing company may carry the products of its mines and manufactories on its railroad or canal not exceeding fifty miles in length.

SOUTH CAROLINA.**2. XII.**

The property of corporations now existing or hereafter created shall be subject to taxation, except in cases otherwise provided for in this Constitution.

CALIFORNIA.**8. XII.**

No corporation shall lease or alienate any franchise, so as to relieve the franchise or property held thereunder from the liabilities of the lessor, or grantor, lessee or grantee, contracted or incurred in operation, use or enjoyment of such franchise or any of its privileges.

WEST VIRGINIA.**47. VI.**

No charter of incorporation shall be granted to any church or religious denomination. Provisions may be made by general laws for securing the title to church property, and for the sale and transfer thereof, so that it shall be held, used or transferred for the purposes of such church or religious denomination.

*Rights of Railroads to Cross and Intersect with Others.***ALABAMA.****11. XIV.**

Any association or corporation organized for the purpose, or any individual shall have the right to construct and maintain lines of telegraph within this State, and connect the same with other lines, and the General Assembly shall, by general law of uni-

form operation, provide reasonable regulations to give full effect to this section. No telegraph company shall consolidate with or hold a controlling interest in the stock or bonds of any other telegraph company owning a competing line, or acquire, by purchase or other-

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wise, any other competing line of telegraph.

21. XIV.

All railroads and canals shall be public highways, and all railroad and canal companies shall be common carriers. Any association or corporation organized for the purpose shall have the right to construct and operate a railroad between any points in this State, and connect at the State line with railroads of other States. Every railroad company shall have the right with its road to intersect, connect with, or cross any other railroad, and shall receive and transport each the other's freight, passengers and cars, loaded or empty, without delay or discrimination.

CALIFORNIA.

17. XII.

All railroad, canal and other transportation companies are declared to be common carriers, and subject to legislative control. Any association or corporation, organized for the purpose under the laws of this State, shall have the right to connect at the State line with railroads of other States. Every railroad company shall have the right with its road to intersect, connect with, or cross any other railroad, and shall receive and transport each the other's passengers, tonnage and cars, without delay or discrimination.

COLORADO.

4. XV.

All railroads shall be public highways, and all other railroad companies shall be common carriers. Any association or corporation organized for the purpose, shall have the right to construct and operate a railroad between any designated points within this State, and

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to connect at the State line with railroads of other States and territories. Every railroad company shall have the right with its road to intersect, connect with or cross any other railroad.

13. XV.

Any association or corporation, or the lessees or managers thereof, organized for the purpose, or any individual, shall have the right to construct and maintain lines of telegraph within this State, and to connect the same with other lines, and the General Assembly shall, by general law of uniform operation, provide reasonable regulations to give full effect to this section. No telegraph company shall consolidate with, or hold a controlling interest in, the stocks or bonds of any other telegraph company owning or having control of a competing line, or acquire, by purchase or otherwise, any other competing line of telegraph.

IDAHO.

13. XI.

Any association or corporation, or the lessees or managers thereof, organized for the purpose, or any individual, shall have the right to construct and maintain lines of telegraph or telephone within this State, and connect the same with other lines; and the Legislature shall by general law of uniform operation, provide reasonable regulations to give full effect to this section.

KENTUCKY.

199.

Any association or corporation, or the lessees or managers thereof, organized for the purpose, or any individual, shall have the right to construct and maintain lines of telegraph within this State, and to connect the same

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with other lines, and said companies shall receive and transmit each other's messages without unreasonable delay or discrimination, and all such companies are hereby declared to be common carriers and subject to legislative control. Telephone companies operating exchanges in different towns or cities, or other public stations, shall receive and transmit each other's messages without unreasonable delay or discrimination. The General Assembly shall, by general laws of uniform operation, provide reasonable regulations to give full effect to this section. Nothing herein shall be construed to interfere with the rights of cities or towns to arrange and control their streets and alleys, and to designate the places at which, and the manner in which, the wires of such companies shall be erected or laid within the limits of such city or town.

216.

All railway, transfer, belt lines and railway bridge companies shall allow the tracks of each other to unite, intersect and cross at any point where such union, intersection and crossing is reasonable or feasible.

LOUISIANA.

243.

Any railroad corporation or association organized for the purpose shall have the right to construct and operate a railroad to intersect, connect with this State, and connect at the State line with railroads of other States. Every railroad company shall have the right with its road to intersect, connect with or cross any other railroad, and shall receive and transport each the other's passengers, tonnage and cars, loaded or empty, without delay or discrimination.

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MISSISSIPPI.

184. VII.

All railroads which carry persons or property for hire, shall be public highways, and all railroad companies so engaged shall be common carriers. Any company organized for that purpose under the laws of the State, shall have the right to construct and operate a railroad between any points within this State, and to connect at the State line with roads of other States. Every railroad company shall have the right with its road to intersect, connect with, or cross any other railroad; and all railroad companies shall receive and transport each other's passengers, tonnage and cars, loaded or empty, without unnecessary delay or discrimination.

195. VII.

Express, telegraph, telephone and sleeping car companies are declared common carriers in their respective lines of business and subject to liability as such.

MISSOURI.

13. XII.

Any railroad corporation or association, organized for the purpose, shall have the right to construct and operate a railroad between any points within this State, and to connect at the State line with railroads of other States. Every railroad company shall have the right, with its road, to intersect, connect with or cross any other railroad, and shall receive and transport each the other's passengers, tonnage and cars, loaded or empty, without delay or discrimination.

MONTANA.

14. XV.

Any association or corporation, or the lessees or managers thereof,

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organized for the purpose, or any individual, shall have the right to construct or maintain lines of telegraph or telephone within this State, and connect the same with other lines; and the Legislative Assembly shall by general law of uniform operation provide reasonable regulations to give full effect to this section. No telegraph or telephone company shall consolidate with, or hold a controlling interest in, the stock or bonds of any other telegraph or telephone company owning or having the control of a competing line, or acquire by purchase or otherwise, and other competing line of telegraph or telephone.

NORTH DAKOTA.**143. VII.**

Any association or corporation organized for the purpose shall have the right to construct and operate a railroad between any points within the State, and to connect at the State line with the railroads of other States. Every railroad company shall have the right with its road to intersect, connect with or cross any other; and shall receive and transport each other's passengers, tonnage and cars, loaded or empty, without delay or discrimination.

PENNSYLVANIA.**1. XVII.**

All railroads and canals shall be public highways, and all railroads and canal companies shall be common carriers. Any association or corporation organized for the purpose shall have the right to construct and operate a railroad between any points within this State, and to connect at the State line with railroads of other States. Every railroad company shall have the right with its roads to inter-

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sect connect with or cross any other railroad; and shall receive and transport each the other's passengers, tonnage and cars, loaded or empty, without delay or discrimination.

SOUTH DAKOTA.**11. XVII.**

Any association or corporation organized for the purpose, or any individual, shall have the right to construct and maintain lines of telegraph in this State, and to connect the same with other lines; and the Legislature shall by general law, of uniform operation, provide reasonable regulations to give full effect to this section. No telegraph company shall consolidate with or hold a controlling interest in the stock or bonds of any other telegraph company owning a competing line or acquire by purchase or otherwise any other competing line of telegraph.

16. XVII.

Any association or corporation organized for the purpose shall have the right to construct and operate a railroad between any points within this State, and to connect at the State line with railroads of other States. Every railroad company shall have the right with its road to intersect, connect with, or cross any other railroad, and shall receive and transport each other's passengers, tonnage and cars, loaded or empty, without delay or discrimination.

TEXAS.**1. X.**

Any railroad corporation or association, organized under the law for the purpose, shall have the right to construct and operate a railroad between any points within this State, and to connect at the State line with

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railroads of other States. Every railroad company shall have the right, with its road, to intersect, connect with or cross any other railroad; and shall receive and transport each the other's passengers, tonnage and cars, loaded or empty, without delay or discrimination, under such regulations as shall be prescribed by law.

8. X.

No railroad corporation in existence at the time of the adoption of this Constitution, shall have the benefit of any future legislation except on condition of complete acceptance of all the provisions of this Constitution applicable to railroads.

WASHINGTON.

13. XII.

All railroad, canal and other transportation companies are declared to be common carriers and subject to legislative control. Any association or corporation organized for the purpose, under the laws of this State, shall have the right to connect at the State line with railroads of other States. Every railroad company shall have the right with its road, whether the same be now constructed or may hereafter be constructed, to intersect, cross or connect with any other railroad, and when such railroads are of the same or similar gauge they shall at all crossings, and at all points where a railroad shall begin or terminate at or near any other railroad, form proper connections so that the cars of any such railroad companies may be speedily transferred from one railroad to another. All railroad companies shall receive and transport each the other's passengers,

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tonnage and cars without delay or discrimination.

WYOMING.

1. X.

Any railroad corporation or association organized for the purpose, shall have the right to construct and operate a railroad between any points within this State and to connect at the State line with railroads of other States. Every railroad shall have the right with its road to intersect, connect with or cross any other railroad, and all railroads shall receive and transport each other's passengers, and tonnage and cars, loaded or empty, without delay or discrimination.

2. X.

Railroad and telegraph lines heretofore constructed or that may hereafter be constructed in this State are hereby declared public highways and common carriers, and as such must be made by law to extend the same equality and impartiality to all who use them, excepting employes and their families and ministers of the gospel, whether individuals or corporations.

7. X.

Any association, corporation or lessee of the franchises thereof organized for the purpose shall have the right to construct and maintain lines of telegraph within the State, and to connect the same with other lines.

7. X.

All corporations engaged in the transportation of persons, property, mineral oils, and mineral products, news or intelligence, including railroads, telegraphs, express companies, pipe lines and telephones, are declared to be common carriers.

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Freight and Passenger Rates May be Regulated by Law.—No Unjust Discrimination in Charges by Common Carriers or Telephone or Telegraph Lines.

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ALABAMA.**23. XIV.**

No railroad or other transportation company shall grant free passes, or sell tickets or passes at a discount other than as sold to the public generally, to any member of the General Assembly, or to any person holding office under this State or the United States.

ARKANSAS.**3. XVII.**

All individuals, associations and corporations shall have equal right to have persons and property transported over railroads, canals and turnpikes and no undue or unreasonable discrimination shall be made in charges for, or in facilities for, transportation of freight or passengers within the State or coming from or going to any other State. Persons and property transported over any railroad shall be delivered at any station at charges not exceeding the charges for transportation of persons and property of the same class in the same direction to any more distant station; but excursion and commutation tickets may be issued at special rates.

6. XVII.

No discrimination in charges or facilities for transportation shall be made between transportation companies and individuals or in favor of either by abatement, drawback or otherwise, and no railroad or canal company or any lessee, manager or employe thereof shall make any preference in furnishing cars or motive power.

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10. XVII.

The General Assembly shall pass laws to correct abuses and prevent unjust discrimination and excessive charges by railroad, canal and turnpike companies for transporting freight and passengers, and shall provide for enforcing such laws by adequate penalties and forfeitures.

CALIFORNIA.**33. IV.**

The Legislature shall pass laws for the regulation and limitation of the charges for services performed and commodities furnished by telegraph and gas corporations, and the charges by corporations or individuals for storage and wharfage, in which there is a public use; and where laws shall provide for the selection of any person or officer to regulate and limit such rates, no such person or officer shall be selected by any corporation or individual interested in the business to be regulated, and no person shall be selected who is an officer or stockholder in any such corporation.

19. XII.

No railroad or other transportation company shall grant free passes, or passes or tickets at a discount, to any person holding any office of honor, trust or profit in this State; and the acceptance of any such pass or ticket by a member of the Legislature or any public officer other than railroad commissioner shall work a forfeiture of his office.

21. XII.

No discrimination in charges or

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facilities for transportation shall be made by any railroad or other transportation company between places or persons, or in the facilities for the transportation of the same classes of freight or passengers within this State or coming from or going to any other State. Persons and property transported over any railroad, or by any other transportation company or individual, shall be delivered at any station, landing or port at charges not exceeding the charges for the transportation of persons and property of the same class in the same direction to any more distant station, port or landing. Excursion and commutation tickets may be issued at special rates.

COLORADO.

6. XV.

All individuals, associations and corporations shall have equal rights to have persons and property transported over any railroad in this State, and no undue or unreasonable discrimination shall be made in charges or in facilities for transportation of freight or passengers within this State, and no railroad company, nor any lessee, manager or employe thereof shall give any preference to individuals, associations or corporations in furnishing cars or motive power.

FLORIDA.

31. XVI.

No railroad or other transportation company or common carrier in this State shall grant a free pass, or discount the fare paid by the public generally, to any member of the Legislature, or to any salaried officer of this State, and the Legislature shall prohibit the granting or receiving such free pass

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or fare at a discount, by suitable penalties.

GEORGIA.

2. IV.

Par. V. No railroad company shall give, or pay, any rebate or bonus in the nature thereof, directly or indirectly, or do any act to mislead or deceive the public as to the real rates charged or received for freights or passage; and any such payments shall be illegal and void, and these prohibitions shall be enforced by suitable penalties.

IDAHO.

5. XI.

All railroads shall be public highways, and all railroad, transportation and express companies shall be common carriers, and subject to legislative control, and the Legislature shall have power to regulate and control by law the rates of charges for the transportation of passengers and freight by such companies or other common carriers from one point to another in the State. Any association or corporation organized for the purpose, shall have the right to construct and operate a railroad between any designated points within this State, and to connect within or at the State line with railroads of other States and Territories. Every railroad company shall have the right with its road to intersect, connect with or cross any other railroad, under such regulations as may be prescribed by law, and upon making due compensation.

6. XI.

All individuals, associations and corporations, similarly situated, shall have equal rights to have persons or property transported on and over any railroad, transportation or express route in

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this State, except that preference may be given to perishable property. No undue or unreasonable discrimination shall be made in charges or facilities for transportation of freight or passengers of the same class by any railroad or transportation or express company between persons or places within the State; but excursion or commutation tickets may be issued and sold at special rates, provided such rates are the same to all persons. No railroad or transportation or express company shall be allowed to charge, collect or receive, under penalties which the Legislature shall prescribe, any greater charge or toll for the transportation of freight or passengers to any place or station upon its route or line than it charges for the transportation of the same class of freight or passengers to any more distant place or station upon its route or line within this State. No railroad, express or transportation company, nor any lessee, manager, or other employee thereof, shall give any preference to any individual, association or corporation in furnishing cars or motive power or for the transportation of money or other express matter.

ILLINOIS.

12. XI.

Railways heretofore constructed or that may hereafter be constructed in this State, are hereby declared public highways, and shall be free to all persons for the transportation of their persons and property thereon, under such regulations as may be prescribed by law. And the General Assembly shall, from time to time, pass laws establishing reasonable maximum rates of charges for the trans-

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portation of passengers and freight on the different railroads in this State.

15. XI.

The General Assembly shall pass laws to correct abuses and prevent unjust discrimination and extortion in the rates of freight and passenger tariffs on the different railroads in this State, and enforce such laws by adequate penalties, to the extent, if necessary for that purpose, of forfeiture of their property and franchises.

KENTUCKY.

196.

Transportation of freight and passengers by railroad, steamboat or other common carriers, shall be so regulated, by general law, as to prevent unjust discrimination. No common carrier shall be permitted to contract for relief from its common law liability.

197.

No railroad, steamboat or other common carrier, under heavy penalty to be fixed by the General Assembly, shall give a free pass or passes, or shall, at reduced rates not common to the public, sell tickets for transportation to any State, district, city, town or county officer, or member of the General Assembly, or judge; and any State, district, city, town or county officer, or member of the General Assembly, or judge, who shall accept or use a free pass or passes, or shall receive or use tickets or transportation at reduced rates not common to the public, shall forfeit his office. It shall be the duty of the General Assembly to enact laws to enforce the provisions of this section.

213.

All railroad, transfer, belt lines

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and railway bridge companies, organized under the laws of Kentucky, or operating, maintaining or controlling any railroad, transfer, belt lines or bridges, or doing a railway business in this State, shall receive, transfer, deliver, and switch empty or loaded cars, and shall move, transport, receive, load or unload all the freight in car loads or less quantities, coming to or going from any railroad, transfer, belt line, bridge or siding thereon, with equal promptness and dispatch, and without any discrimination as to charges, preference, drawback or rebate in favor of any person, corporation, consignee or consignor, in any matter as to payment, transportation, handling or delivery; and shall so receive, deliver, transfer and transport all freight as above set forth, from and to any point where there is a physical connection between the tracks of said companies. But this section shall not be construed as requiring any such common carrier to allow the use of its tracks for the trains of another engaged in like business.

214.

No railway, transfer, belt line or railway bridge company shall make any exclusive or preferential contract or arrangement with any individual, association or corporation, for the receipt, transfer, delivery, transportation, handling, care or custody of any freight, or for the conduct of any business as a common carrier.

215.

All railway, transfer, belt lines or railway bridge companies shall receive, load, unload, transport, haul, deliver and handle freight of the same class for all persons, associations or

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corporations from and to the same points and upon the same conditions, in the same manner and for the same charges, and for the same method of payment.

217.

Any person, association or corporation, willfully or knowingly violating any of the provisions of section two hundred and thirteen, two hundred and fourteen, two hundred and fifteen, or two hundred and sixteen, shall, upon conviction by a court of competent jurisdiction, for the first offense be fined two thousand dollars; for the second offense, five thousand dollars, and for the third offense, shall thereupon, ipso facto, forfeit its franchises, privileges or charter rights; and if such delinquent be a foreign corporation, it shall, ipso facto, forfeit its right to do business in this State; and the Attorney-General of the Commonwealth shall forthwith, upon notice of the violation of any of said provisions, institute proceedings to enforce the provisions of the aforesaid sections.

218.

It shall be unlawful for any person or corporation owning or operating a railroad in this State, or any common carrier, to charge or receive any greater compensation in the aggregate for the transportation of passengers, or of property of like kind, under substantially similar circumstances and conditions, for a shorter than for a longer distance over the same line, in the same direction, the shorter being included within the longer distance; but this shall not be construed as authorizing any common carrier, or person or corporation, owning or operating a railroad in this State, to receive as great

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compensation for a shorter as for a longer distance: Provided, That upon application to the railroad commission, such common carrier, or person, or corporation owning or operating a railroad in this State, may in special cases, after investigation by the commission, be authorized to charge less for longer than for shorter distances for the transportation of passengers, or property; and the commission may, from time to time, prescribe the extent to which such common carrier, or person or corporation, owning or operating a railroad in this State, may be relieved from the operations of this section.

LOUISIANA.

244.

Railways heretofore constructed, or that may hereafter be constructed in this State, are hereby declared public highways, and railroad companies common carriers.

MISSISSIPPI.

188. VII.

No railroad or other transportation company shall grant free passes or tickets, or passes or tickets at a discount, to members of the Legislature, or any State, district, county or municipal officers, except railroad commissioners. The Legislature shall enact suitable laws for the detection, prevention and punishment of violations of this provision.

MISSOURI.

12. XII.

It shall not be lawful in this State for any railway company to charge for freight or passengers a greater amount, for the transportation of the same, for a less distance than the amount charged for any greater distance; and suitable laws shall be passed

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by the General Assembly to enforce this provision; but excursion and commutation tickets may be issued at special rates.

14. XII.

Railways heretofore constructed, or that may hereafter be constructed in this State, are hereby declared public highways, and railroad companies common carriers. The General Assembly shall pass laws to correct abuses and prevent unjust discrimination and extortion in the rates of freight and passenger tariffs on the different railroads in this State; and shall, from time to time, pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on said railroads, and enforce all such laws by adequate penalties.

23. XII.

No discrimination in charges or facilities in transportation shall be made between transportation companies and individuals, or in favor of either, by abatement, drawback or otherwise; and no railroad company, or any lessee, manager or employee thereof, shall make any preference in furnishing cars or motive power.

24. XII.

No railroad or other transportation company shall grant free passes or tickets, or passes or tickets at a discount, to members of the General Assembly, or members of the board of equalization, or any State or county or municipal officers; and the acceptance of such pass or ticket by a member of the General Assembly or any such officer shall be a forfeiture of his office.

MONTANA.

5. XV.

All railroads shall be public high-

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ways, and all railroad, transportation and express companies shall be common carriers and subject to legislative control, and the Legislative Assembly shall have the power to regulate and control by law the rates of charges for the transportation of passengers and freight by such companies as common carriers from one point to another in the State. Any association or incorporation, organized for the purpose, shall have the right to construct and operate a railroad between any designated points within this State, and to connect at the State line with railroads of other States and Territories. Every railroad company shall have the right with its road to intersect, connect with or cross any other railroad.

7. XV.

All individuals, associations and corporations shall have equal rights to have persons or property transported on and over any railroad, transportation or express route in this State. No discrimination in charges or facilities for transportation of freight or passengers of the same class shall be made by any railroad or transportation or express company between persons or places within this State; but excursion or commutation tickets may be issued and sold at special rates, provided such rates are the same to all persons. No railroad or transportation or express company shall be allowed to charge, collect or receive, under penalties which the Legislative Assembly shall prescribe, any greater charge or toll for the transportation of freight or passengers to any place or station upon its route or line than it charges for the transportation

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of the same class of freight or passengers to any more distant place or station upon its route or line within this State. No railroad, express or transportation company, nor any lessee, manager or other employe thereof, shall give any preference to any individual, association or corporation, in furnishing cars or motive power, or for the transportation of money or other express matter.

NEBRASKA.

4. XII.

Railways heretofore constructed, or that may hereafter be constructed, in this State, are hereby declared public highways, shall be free to all persons for the transportation of their persons and property thereon, under such regulations as may be prescribed by law. And the Legislature may, from time to time, pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on the different railroads in this State. The liability of railroad corporations as common carriers shall never be limited.

NORTH DAKOTA.

142. VII.

Railways heretofore constructed or that may hereafter be constructed in this State are hereby declared public highways, and all railroad, sleeping car, telegraph, telephone and transportation companies of passengers, intelligence and freight are declared to be common carriers and subject to legislative control; and the Legislative Assembly shall have power to enact laws regulating and controlling the rates of charges for the transporta-

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tion of passengers, intelligence and freight, as such common carriers from one point to another in the State: Provided, That appeal may be had to the courts of this State from the rates so fixed; but the rates fixed by the Legislative Assembly or board of railroad commissioners shall remain in force pending the decision of the courts.

PENNSYLVANIA.**3. XVII.**

All individuals, associations and corporations shall have equal right to have persons and property transported over railroads and canals, and no undue or unreasonable discrimination shall be made in charges for, or in facilities for, transportation of freight or passengers within the State or coming from or going to any other State. Persons and property transported over any railroad shall be delivered at any station at charges not exceeding the charges for transportation of persons and property of the same class in the same direction to any more distant station; but excursion and commutation tickets may be issued at special rates.

7. XVII.

No discrimination in charges or facilities for transportation shall be made between transportation companies and individuals, or in favor of either, by abatement, drawback or otherwise, and no railroad or canal company, or any lessee, manager or employe thereof, shall make any preferences in furnishing cars or motive power.

NORTH DAKOTA.**15. XVII.**

Railways heretofore constructed, or that may hereafter be constructed, in this State, are here-

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by declared public highways, and all railroads and transportation companies are declared to be common carriers and subject to legislative control; and the Legislature shall have power to enact laws regulating and controlling the rates of charges for the transportation of passengers and freight as such common carrier from one point to another in this State.

TEXAS.**2. X.**

Railroads heretofore constructed, or which may hereafter be constructed in this State, are hereby declared public highways and railroad companies common carriers. The Legislature shall pass laws to regulate railroad freight and passenger tariffs, to correct abuses, and prevent unjust discrimination and extortion in the rates of freight and passenger tariffs on the different railroads in this State, and enforce the same by adequate penalties; and to the further accomplishments of these objects and purposes may provide and establish all requisite means and agencies, invested with such powers as may be deemed adequate and advisable.

3. XII.

The right to authorize and regulate freights, tolls, wharfage or fares levied or collected, or proposed to be levied and collected, by individuals, companies or corporations for the use of highways, landings, wharves, bridges and ferries, devoted to public use, has never been and shall never be relinquished or abandoned by the State, but shall always be under legislative control and depend upon legislative authority.

5. XII.

All laws granting the right to de-

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mand and collect freight, fares, tolls or wharfage shall at all times be subject to amendment, modification or repeal by the Legislature.

WASHINGTON.**15. XII.**

No discrimination in charges or facilities for transportation shall be made by any railroad or other transportation company between places and persons, or in the facilities for the transportation of the same classes of freight or passengers within the State or coming from or going to any other State. Persons and property transported over any railroad, or by any other transportation company, or individual, shall be delivered at any station, landing or port, at charges not exceeding the charges for the transportation of persons and property of the same class in the same direction to any more distant station, port or landing. Excursion and commutation tickets may be issued at special rates.

18. XII.

The Legislature shall pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight, and to correct abuses and to prevent discrimination and extortion in the rates of freight and passenger tariffs on the different railroads and other common carriers in the State, and shall enforce such laws by adequate penalties. A railroad and transportation commission may be established, and its powers and duties fully defined by law.

19. XII.

Any association or corporation, or the lessee or managers thereof, organized for the purpose,

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or any individual, shall have the right to construct and maintain lines of telegraph and telephone within this State, and said companies shall receive and transmit each other's messages without delay or discrimination, and all of such companies are hereby declared to be common carriers and subject to legislative control. Railroad corporations organized or doing business in this State shall allow telegraph and telephone corporations and companies to construct and maintain telegraph lines on and along the rights-of-way of such railroad and railroad companies, and no railroad corporation organized or doing business in this State shall allow any telegraph corporation or company any facilities, privileges or rates for transportation of men or material or for repairing their lines not allowed to all telegraph companies. The right of eminent domain is hereby extended to all telegraph and telephone companies. The Legislature shall by general law, of uniform operation, provide reasonable regulations to give effect to this section.

20. XII.

No railroad or other transportation company shall grant free passes or sell tickets or passes at a discount, other than as sold to the public generally, to any member of the Legislature, or to any person holding any public office within this State. The Legislature shall pass laws to carry this provision into effect.

21. XII.

Railroad companies now, or hereafter organized, or doing business in this State, shall allow all express companies organized or doing business in this

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State transportation over all lines of railroad owned or operated by such railroad companies upon equal terms with any other express company, and no railroad corporation organized or doing business in this State shall allow any express corporation or company any facilities, privileges or rates for transportation of men or materials or property carried by them or for doing the business of such express companies not allowed to all express companies.

WEST VIRGINIA.**9. X.**

Railroads heretofore constructed, or that may hereafter be constructed in this State, are here-

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by declared public highways, and shall be free to all persons for the transportation of their persons and property thereon, under such regulations as shall be prescribed by law; and the Legislature shall, from time to time, pass laws applicable to all railroad corporations in the State, establishing reasonable maximum rates of charges for the transportation of passengers and freights, and providing for the correction of abuses, the prevention of unjust discriminations between through and local or way freight and passenger tariffs, and for the protection of the just rights of the public, and shall enforce such laws by adequate penalties.

The Rolling Stock of Railroads is Personal Property and may be Attached and Taxed.

ARKANSAS.**11. XVII.**

The rolling stock and all other movable property belonging to any railroad company or corporation in this State shall be considered personal property, and shall be liable to execution and sale in the same manner as the personal property of individuals, and the General Assembly shall pass no law exempting any such property from execution and sale.

FLORIDA.**16. XVI.**

The property of all corporations except the property of a corporation which shall construct a ship or barge canal across the peninsula of Florida, if the Legislature should so enact, whether heretofore or hereafter incorporated, shall be subject to taxation, unless such property be held and used exclusively

for religious, scientific, municipal, educational, literary or charitable purposes.

ILLINOIS.**10. XI.**

The rolling stock, and all other movable property belonging to any railroad company or corporation in this State, shall be considered personal property, and shall be liable to execution and sale in the same manner as the personal property of individuals, and the General Assembly shall pass no law exempting any such property from execution and sale.

KENTUCKY.**212.**

The rolling stock and other movable property belonging to any railroad corporation or company in this State shall be considered personal property, and shall be liable to execution and

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sale in the same manner as the personal property of individuals. The earnings of any railroad company or corporation, and choses in action, money and personal property of all kinds belonging to it, in the hands, or under the control, of any officer, agent or employee of such corporation or company, shall be subject to process of attachment to the same extent and in the same manner, as like property of individuals when in the hands or under the control of other persons. Any such earnings, choses in action, money or other personal property may be subjected to the payment of any judgment against such corporation or company, in the same manner and to the same extent as such property of individuals in the hands of third persons.

MINNESOTA.

32 (a). IV.

Any law providing for the appeal or amendment of any law or laws heretofore or hereafter enacted, which provides that any railroad company now existing in this State, or operating its road therein, or which may be hereafter organized, shall in lieu of all other taxes and assessments upon their real estate, roads, rolling stock, and other personal property, at and during the time and periods therein specified, pay into the treasury of this State a certain percentage therein mentioned of the gross earnings of such railroad companies now existing or hereafter organized, shall, before the same shall take effect or be in force, be submitted to a vote of the people of the State, and be adopted and ratified by a majority of the electors of the State voting

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at the election at which the same shall be submitted to them.

MISSISSIPPI.

185. VII.

The rolling stock, belonging to any railroad company or corporation in this State, shall be considered personal property and shall be liable to execution and sale as such.

MISSOURI.

5. X.

All railroad corporations in this State, or doing business therein, shall be subject to taxation for State, county, school, municipal and other purposes, on the real and personal property owned or used by them, and on their gross earnings, their net earnings, their franchises and their capital stock.

16. XII.

The rolling stock and all other movable property belonging to any railroad company or corporation in this State shall be considered personal property, and shall be liable to execution and sale in the same manner as the personal property of individuals; and the General Assembly shall pass no law exempting any such property from execution and sale.

MONTANA.

16. XIII.

All property shall be assessed in the manner prescribed by law except as is otherwise provided in this Constitution. The franchise, roadway, roadbed, rails and rolling stock of all railroads operated in more than one county in this State shall be assessed by the State Board of Equalization and the same shall be apportioned to the counties, cities, towns, townships and school districts in which such

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railroads are located, in proportion to the number of miles of railway laid in such counties, cities, towns, townships and school districts.

NEBRASKA.**2. XII.**

The rolling stock and all other movable property belonging to any railroad company or corporation in this State shall be liable to execution and sale in the same manner as the personal property of individuals, and the Legislature shall pass no law exempting any such property from execution and sale.

NORTH DAKOTA.**179. XI.**

All property, except as hereinafter in this section provided, shall be assessed in the county, city, township, town, village or district in which it is situated, in the manner prescribed by law. The franchise, roadway, roadbed, rails and rolling stock of all railroads operated in this State shall be assessed by the State Board of Equalization at their actual value, and such assessed valuation shall be apportioned to the counties, cities, towns, townships and districts in which said roads are located, as a basis for taxation of such property, in proportion to the number of miles of railway laid in such counties, cities, towns, townships and districts.

SOUTH DAKOTA.**18. XVII.**

The rolling stock and all other movable property belonging to any railroad company or corporation in this State shall be considered personal property, and shall be liable to execution and sale in the same manner as the

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personal property of individuals, and the Legislature shall pass no laws exempting such property from execution and sale.

TEXAS.**5. VIII.**

All property of railroad companies of whatever description lying or being within the limits of any city or incorporated town within this State, shall bear its proportionate share of municipal taxation, and if any such property shall not have been heretofore rendered, the authorities of the city or town within which it lies shall have power to require its rendition, and collect the usual municipal tax thereon, as on other property lying within said municipality.

8. VIII.

All property of railroad companies shall be assessed, and the taxes collected in the several counties in which said property is situated, including so much of the roadbed and fixtures as shall be in each county. The rolling stock may be assessed in gross in the county where the principal office of the company is located, and the county tax paid upon it shall be apportioned by the Comptroller, in proportion to the distance such road may run through any such county, among the several counties through which the road passes, as a part of their tax assets.

4. X.

The rolling stock and all other movable property belonging to any railroad company or corporation in this State shall be considered personal property, and its real and personal property, or any part thereof, shall be liable to execution and sale in the same manner as the property of individuals; and the

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Legislature shall pass no laws exempting any such property from execution and sale.

WASHINGTON.**217. XII.**

The rolling stock and other movable property belonging to any railroad company or corporation in this State, shall be considered personal property, and shall be liable to taxation and to execution and sale in the same manner as the personal property of individuals, and such

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WEST VIRGINIA.**8. X.**

property shall not be exempted from execution and sale.

The rolling stock and all other movable property belonging to any railroad company or corporation in this State shall be considered personal property and shall be liable to execution and sale in the same manner as the personal property of individuals; and the Legislature shall pass no law exempting any such property from execution and sale.

*Foreign Companies must Maintain one or more Offices in this State.***ILLINOIS.****39. XI.**

Every railroad corporation organized or doing business in this State, under the laws or authority thereof, shall have and maintain a public office or place in this State for the transaction of its business, where transfers of stock shall be made, and in which shall be kept, for public inspection, books in which shall be recorded the amount of capital stock subscribed, and by whom; the names of the owners of its stock, and the amounts owned by them respectively; the amount of stock paid in, and by whom; the transfers of said stock; the amount of its assets and liabilities, and the names and places of residence of its officers. The directors of every railroad corporation shall annually make a report, under oath, to the auditor of public accounts, or some officer to be designated by law, of all their acts and doings, which report shall include such matters relating to railroads as may be prescribed by law. And the General Assembly shall pass laws enforcing by suitable pen-

alties the provisions of this section.

LOUISIANA.**245.**

Every railroad or other corporation, organized or doing business in this State under the laws or authority thereof, shall have and maintain a public office or place in this State for the transaction of its business, where transfers of stock shall be made, and where shall be kept for public inspection books in which shall be recorded the amount of capital stock subscribed, the names of owners of stock, the amounts owned by them respectively, the amount of stock paid, and by whom, the transfers of said stock, with the date of transfer, the amount of its assets and liabilities, and the names and places of residence of its officers.

MISSOURI.**15. XII.**

Every railroad or other corporation, organized or doing business in this State under the laws or authority thereof, shall have and maintain a public office or place in this State for the transaction of its business.

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where transfers of stock shall be made, and where shall be kept, for public inspection, books in which shall be recorded the amount of capital stock subscribed, the names of the owners of the stock, the amounts owned by them respectively, the amount of stock paid, and by whom, the transfer of said stock, with the date of transfer, the amount of its assets and liabilities, and the names and places of residence of its officers. The directors of every railroad company shall hold one meeting annually in this State, public notice of which shall be given thirty days previously, and shall report annually, under oath, to the State Auditor, or some officer designated by law, all of their acts and doings, which report shall include such matters relating to railroads as may be prescribed by law. The General Assembly shall pass laws enforcing, by suitable penalties, the provisions of this section.

NEBRASKA.**1. XIX.**

Every railroad corporation organized or doing business in this State, under the laws or authority thereof, of any other State, or of the United States, shall have and maintain a public office or place in this State for the transaction of its business, where transfers of stock shall be made, and in which shall be kept for public inspection, books in which shall be recorded the amount of capital stock subscribed, and by whom, the names of the owners of its stock, and the amounts owned by them respectively, the amount of stock paid in, and by whom, the transfers of said stock, the amount of its assets and liabilities, and the names

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and places of residence of its officers. The directors of every railroad corporation, or other parties having control of its road, shall annually make a report, under oath, to the auditor of public accounts, or some officer to be designated by law, of the amount received from passengers and freight, and such other matters relating to railroads as may be prescribed by law. And the Legislature shall pass laws enforcing by suitable penalties the provisions of this section.

NORTH DAKOTA.**140. VII.**

Every railroad corporation organized and doing business in this State, under the laws or authority thereof, shall have and maintain a public office or place in the State for the transaction of its business, where transfers of its stock shall be made, and in which shall be kept for public inspection books in which shall be recorded the amount of capital stock subscribed, and by whom; the names of the owners of its stock and the amount owned by them respectively; the amount of stock paid in and by whom, and the transfers of said stock; the amount of its assets and liabilities, and the names and place of residence of its officers. The directors of every railroad corporation shall annually make a report, under oath, to the auditor of public accounts, or some officer or officers to be designated by law, of all their acts and doings, which reports shall include such matters relating to railroads as may be prescribed by law, and the Legislative Assembly shall pass laws enforcing by suitable penalties the provisions of this section: Provided, The provisions of this section shall not be

General Provisions.

Sec. Art.

so construed as to apply to foreign corporations.

PENNSYLVANIA.**2. XVII.**

Every railroad and canal corporation, organized in this State shall maintain an office therein where transfers of its stock shall be made, and where its books shall be kept for inspection by any stockholder or creditor of such corporation, in which shall be recorded the amount of capital stock subscribed or paid in, and by whom, the names of the owners of its stock and the amounts owned by them, respectively, the transfers of said stock, and the names and places of residence of its officers.

SOUTH DAKOTA.**12. XVII.**

Every railroad corporation organized or doing business in this State under the laws or authority thereof shall have and maintain a public office or place in this State for the transaction of its business, where transfers of its stock shall be made and in which shall be kept for public inspection books in which shall be recorded the amount of capital stock subscribed, and by whom; the names of the owners of its stock, and the amount owned by them, respectively; the amount of stock paid in, and by whom; the transfers of said stock; the amount of its assets and liabilities, and the names and place of residence of its officers. The directors of every railroad corporation shall annually make a report, under oath, to the auditor of public accounts or some officer or officers to be designated by law, of all their acts and doings, which report shall include such matters relating to railroads as may be prescribed by law, and

Sec. Art.

the Legislature shall pass laws enforcing by suitable penalties the provisions of this section.

TEXAS.**3. X.**

Every railroad or other corporation, organized or doing business in this State under the laws or authority thereof, shall have and maintain a public office or place in this State for the transaction of its business, where transfers of stock shall be made, and where shall be kept, for inspection by the stockholders of such corporations, books, in which shall be recorded the amount of capital stock subscribed, the names of the owners of the stock, the amounts owned by them respectively, the amount of stock paid, and by whom, the transfer of said stock, with the date of the transfer, the amount of its assets and liabilities, and the names and places of residence of its officers. The directors of every railroad company shall hold one meeting annually in this State, public notice of which shall be given thirty days previously, and the president or superintendent shall report annually, under oath, to the Comptroller or Governor, their acts and doings, which report shall include such matters relating to railroads as may be prescribed by law. The Legislature shall pass laws enforcing by suitable penalties the provisions of this section.

WYOMING.**8. X.**

No foreign railroad or telegraph line shall do any business within the State without having an agent or agents within each county through which such railroad or telegraph line shall be constructed upon whom process may be served.

General Provisions.

Requirements when Railroads pass within a given Distance of a Town or Village.

Sec. Art

MISSISSIPPI.**187. VII.**

No railroad hereafter constructed in this State shall pass within three miles of any county seat without passing through the same, and establishing and maintaining a depot therein, unless prevented by natural obstacles: Provided, Such town or city shall grant the right of way through its limits, and sufficient ground for ordinary depot purposes.

TEXAS.**9. X.**

No railroad hereafter constructed in this State shall pass within a distance of three miles of any county seat without passing through the same, and establishing and maintaining a depot therein, unless prevented by natural obstacles, such as

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streams, hills or mountains: Provided, Such town or its citizens shall grant the right of way through its limits and sufficient ground for ordinary depot purposes.

WYOMING.**9. X.**

No railroad company shall construct or operate a railroad within four (4) miles of any existing town or city without providing a suitable depot or stopping place at the nearest practicable point for the convenience of said town or city, and stopping all trains doing local business at said stopping place. No railroad company shall deviate from the most direct practicable line in constructing a railroad for the purpose of avoiding the provisions of this section.

*Competing Lines may not Consolidate.***ARKANSAS.****4. XVII.**

No railroad, canal or other corporation, or the lessees, purchasers or managers of any railroad, canal or corporation, shall consolidate the stock, property or franchises of such corporation with or lease or purchase the works or franchises of, or in any way control, any other railroad or canal corporation owning or having under its control a parallel or competing line, nor shall any officer of such railroad or canal corporation act as an officer of any other railroad or canal corporation owning or having control of a parallel or competing line; and the question whether railroads or canals are parallel

or competing lines shall, when demanded by the party complainant, to be decided by a jury as in other civil issues.

CALIFORNIA.**20. XII.**

No railroad company or other common carrier shall combine or make any contract with the owners of any vessel that leaves port or makes port in this State, or with any common carrier, by which combination or contract the earnings of one doing the carrying are to be shared by the other not doing the carrying. And whenever a railroad corporation shall, for the purpose of competing with any other common carrier, lower its rates for transporta-

General Provisions.

Sec. Art.

tion of passengers or freight from one point to another, such reduced rates shall not be again raised or increased from such standard without the consent of the governmental authority in which shall be vested the power to regulate fares and freights.

5. **XV. COLORADO.**

No railroad corporation, or the lessees or managers thereof, shall consolidate its stock, property or franchises with any other railroad corporation owning or having under its control a parallel or competing line.

14. **XV.**

If any railroad, telegraph, express or other corporation organized under any of the laws of this State, shall consolidate, by sale or otherwise with any railroad, telegraph, express, or other corporation organized under any laws of any other State or territory, or of the United States, the same shall not thereby become a foreign corporation, but the courts of this State shall retain jurisdiction over that part of the corporate property within the limits of the State in all matters which may arise, as if said consolidation had not taken place.

IDAHO.14. **XI.**

If any railroad, telegraph, express, or other corporation, organized under any of the laws of this State shall consolidate, by sale or otherwise, with any railroad, telegraph, express or other corporation organized under any of the laws of any other State or territory, or of the United States, the same shall not thereby become a foreign corporation, but the

Sec. Art.

courts of this State shall retain jurisdiction over that part of the corporate property within the limits of the State in all matters that may arise, as if said consolidation had not taken place.

ILLINOIS.11. **XI.**

No railroad corporation shall consolidate its stock, property or franchises with any other railroad corporation owning a parallel or competing line; and in no case shall any consolidation take place except upon public notice given of at least sixty days, to all stockholders, in such manner as may be provided by law. A majority of the directors of any railroad corporation, now incorporated or hereafter to be incorporated by the laws of this State, shall be citizens and residents of this State.

KENTUCKY.

200.

If any railroad, telegraph, express or other corporation, organized under the laws of this Commonwealth, shall consolidate by sale or otherwise, with any railroad telegraph, express or other corporation organized under the laws of any other State, the same shall not thereby become a foreign corporation, but the courts of this Commonwealth shall retain jurisdiction over that part of the corporate property within the limits of this State in all matters which may arise, as if said consolidation had not taken place.

201.

No railroad, telegraph, telephone, bridge or common carrier company shall consolidate its capital stock, franchises or property, or pool its earnings, in whole or in part, with any other railroad telegraph, telephone, bridge

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Sec. Art.

or common carrier company, owning a parallel or competing line or structure, or acquire by purchase, lease or otherwise, any parallel or competing line or structure, or operate the same, nor shall any railroad company or other common carrier combine or make any contract with the owners of any vessel that leaves or makes port in this State, or with any common carrier, by which combination or contract the earnings of one doing the carrying are to be shared by the other not doing the carrying.

LOUISIANA.

246.

If any railroad company, organized under the laws of this State, shall consolidate, by sale or otherwise, with any railroad company organized under the laws of any other State or of the United States, the same shall not thereby become a foreign corporation, but the courts of this State shall retain jurisdiction in all matters which may arise, as if said consolidation had not taken place. In no case shall any consolidation take place except upon public notice of at least sixty days to all stockholders, in such manner as may be provided by law.

MICHIGAN.

2. XIX.

No railroad corporation shall consolidate its stock, property or franchises with any other railroad corporation owning a parallel or competing line; and in no case shall any consolidation take place except upon public notice given of at least sixty days to all stockholders in such manner as shall be provided by law.

MISSISSIPPI.

197. VII.

The Legislature shall not grant

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to any foreign corporation or association, a license to build, operate or lease any railroad in this State; but in all cases where a railroad is to be built or operated, and the same shall be partly in this State and partly in another State, or in other States, the owners or projectors thereof shall first become incorporated under the laws of this State; nor shall any foreign corporation or association lease or operate any railroad in this State or purchase the same, or any interest therein; consolidation of any railroad lines and corporations in this State with others shall be allowed only where the consolidated company shall become a domestic corporation of this State. No general or special law shall ever be passed for the benefit of any foreign corporation operating a railroad under an existing license of this State, or under an existing lease; and no grant of any right or privilege, and no exemption from any burden, shall be made to any such foreign corporation except upon the condition that the owners or stockholders thereof shall first organize a corporation in this State under the laws thereof, and shall thereafter operate and manage the same, and the business thereof under said domestic charter.

MISSOURI.

17. XII.

No railroad or other corporation, or the lessees, purchasers or managers of any railroad corporation shall consolidate the stock, property and franchises of such corporation with, or lease or purchase the works or franchises of, or in any way control, any

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railroad corporation owning or having under its control a parallel or competing line; nor shall any officer of such railroad corporation act as an officer of any other railroad corporation owning or having the control of a parallel or competing line. The question whether railroads are parallel or competing lines shall, when demanded, be decided by a jury, as in other civil issues.

18. XII.

If any railroad company organized under the laws of this State shall consolidate, by sale or otherwise, with any railroad company organized under the laws of any other State, or of the United States, the same shall not thereby become a foreign corporation; but the courts of this State shall retain jurisdiction in all matters which may arise, as if said consolidation had not taken place. In no case shall any consolidation take place except upon public notice of at least sixty days to all stockholders, in such manner as may be provided by law.

MONTANA.

6. XV.

No railroad corporation, express, or other transportation company, or the lessees or managers thereof, shall consolidate its stock, property or franchises with any other railroad corporation, express or other transportation company, owning or having under its control a parallel or competing line; neither shall it in any manner unite its business or earnings with the business or earnings of any other railroad corporation; nor shall any officer of such railroad, express, or other transportation company act as an officer of any

Sec. Art.

other railroad, express, or other transportation company owning or having control of a parallel or competing line.

15. XV.

If any railroad, telegraph, telephone, express, or other corporation or company organized under any of the laws of this State, shall consolidate, by sale or otherwise, with any railroad, telegraph, telephone, express, or other corporation, organized under any of the laws of any other State or territory, or of the United States, the same shall not thereby become a foreign corporation, but the courts of this State shall retain jurisdiction over that part of the corporate property within the limits of the State, in all matters that may arise as if said consolidation had not taken place.

NEBRASKA.

3. XII.

No railroad corporation or telegraph company shall consolidate its stock, property, franchises, or earnings, in whole or in part, with any other railroad corporation or telegraph company owning a parallel or competing line; and in no case shall any consolidation take place except upon public notice of at least sixty days to all stockholders in such manner as may be provided by law.

NORTH DAKOTA.

141. VII.

No railroad corporation shall consolidate its stock, property or franchises with any other railroad corporation owning a parallel or competing line; and in no case shall any consolidation take place except upon public notice given at least

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sixty days to all stockholders, in such manner as may be provided by law. Any attempt to evade the provisions of this section, by any railroad corporation, by lease or otherwise, shall work a forfeiture of its charter.

PENNSYLVANIA.**12. XVI.**

Any association or corporation organized for the purpose, or any individual, shall have the right to construct and maintain lines of telegraph within this State, and to connect the same with other lines, and the General Assembly shall, by general law of uniform operation, provide reasonable regulations to give full effect to this section. No telegraph company shall consolidate with, or hold a controlling interest in the stock or bonds of any other telegraph company owning a competing line, or acquire, by purchase or otherwise, any other competing line of telegraph.

4. XVII.

No railroad, canal, or other corporation, or the lessees, purchasers or managers of any railroad or canal corporation, shall consolidate the stock, property or franchises of such corporation with, or lease, or purchase the works or franchises of, or in any way control any other railroad or canal corporation owning or having under its control a parallel or competing line; nor shall any officer of such railroad or canal corporation act as an officer of any other railroad or canal corporation owning or having the control of a parallel or competing line; and the question whether railroads

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or canals are parallel or competing lines shall, when demanded by the party complainant, be decided by a jury as in other civil issues.

SOUTH DAKOTA.**14. XVII.**

No railroad corporation shall consolidate its stock, property or franchises with any other railroad corporation owning a parallel or competing line; and in no case shall any consolidation take place except upon public notice given out, at least sixty days, to all stockholders in such manner as may be provided by law. Any attempt to evade the provisions of this section, by any railroad corporation, by lease or otherwise, shall work a forfeiture of its charter.

TEXAS.**5. X.**

No railroad or other corporation, or the lessees, purchasers or managers of any railroad corporation, shall consolidate the stock, property or franchises of such corporation with, or lease or purchase the works or franchises of, or in any way control any railroad corporation owning or having under its control a parallel or competing line; nor shall any officer of such railroad corporation act as an officer of any other railroad corporation owning or having the control of a parallel or competing line.

6. X.

No railroad company organized under the laws of this State shall consolidate by private or judicial sale or otherwise with any railroad company organized under the laws of any other State or of the United States.

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WASHINGTON.**14. XII.**

No railroad company, or other common carrier, shall combine or make any contract with the owners of any vessel that leaves port or makes port in this State, or with any common carrier, by which combination or contract the earnings of one doing the carrying are to be shared by the other not doing the carrying.

16. XII.

No railroad corporation shall consolidate its stock, property or

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franchises with any other railroad corporation owning a competing line.

WEST VIRGINIA.**11. XV.**

No railroad corporation shall consolidate its stock, property or franchise with any other railroad owning a parallel or competing line, or obtain the possession or control of such parallel or competing line, by lease or other contract, without the permission of the Legislature.

*Reports must be made to the Proper Authorities Annually.***ARKANSAS.****13. XVII.**

The directors of every railroad corporation shall annually make a report under oath to the auditor of public accounts of all of their acts and doings, which report shall include such matters relating to railroads as may be prescribed by law, and the General Assembly shall pass laws enforcing by suitable penalties the provisions of this section.

WEST VIRGINIA.**7. XI.**

Every railroad corporation organized or doing business in this State shall annually, by their proper officers, make a report under oath, to the auditor of

public accounts of this State, or some officer to be designated by law, setting forth the condition of their affairs, the operations of the year, and such other matters relating to their respective railroads as may be prescribed by law. The Legislature shall pass laws enforcing by suitable penalties the provisions of this section.

WYOMING.**3. X.**

Every railroad corporation or association operating a line of railroad within this State shall annually make a report to the auditor of the State of its business within the State, in such form as the Legislature may prescribe.

*Rights of Employees.***MISSISSIPPI.****193. VII.**

Every employe of any railroad corporation shall have the same right and remedies for any injury suffered by him from the act or omission of said corporation or its employes as are allowed by law to other persons

not employes where the injury results from the negligence of a superior agent or officer, or of a person having the right to control or direct the services of the party injured, and also when the injury results from the negligence of a fellow-servant engaged in another depart-

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ment of labor from that of the party injured, or of a fellow-servant on another train of cars, or engaged about a different piece of work. Knowledge by any employe injured, of the defective or unsafe character or condition of any machinery ways or appliances, shall be no defense to an action for injury caused thereby, except as to conductors or engineers in charge of dangerous or unsafe cars or engines voluntarily operated by them. Where death ensues from any injury to employes, the legal or personal representatives of the person injured shall have the same right and remedies as are allowed by law to such representatives of other persons. Any contract or agreement, express or implied, made by any employe to waive the benefit of this section shall be null and void; and this section shall not be construed to deprive any employe of a corporation or his legal or personal

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representative, of any right or remedy that he now has by the law of the land. The Legislature may extend the remedies herein provided for to any other class of employes.

16. XV. MONTANA.

It shall be unlawful for any person, company or corporation to require of its servants or employes, as a condition of their employment or otherwise, any contract or agreement whereby such persons, company or corporation, shall be released or discharged from liability or responsibility on account of personal injuries received by such servants or employes while in the service of such person company or corporation, by reason of the negligence of such person, company or corporation, or the agents or employes thereof; and such contracts shall be absolutely null and void.

Railroad Commissioners.

CALIFORNIA.

22. XII.

The State shall be divided into three districts as nearly equal in population as practicable, in each of which one railroad commissioner shall be elected by the qualified electors thereof at the regular gubernatorial elections, whose salary shall be fixed by law, and whose term of office shall be four years, commencing on the first Monday after the first day of January next succeeding their election. Said commissioners shall be qualified electors of this State and of the district from which they are elected, and shall not be interested in any railroad corporation, or

other transportation company, as stockholder, creditor, agent attorney or employe; and the act of a majority of said commissioners shall be deemed the act of said commission. Said commissioners shall have the power, and it shall be their duty, to establish rates of charges for the transportation of passengers and freight by railroad or other transportation companies, and publish the same from time to time, with such changes as they may make; to examine the books, records and papers of all railroad and other transportation companies, and for this purpose they shall have power to issue subpoenas and all other

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necessary process; to hear and determine complaints against railroad and other transportation companies, to send for persons and papers, to administer oaths, take testimony and punish for contempt of their orders and processes, in the same manner and to the same extent as courts of record, and enforce their decisions and correct abuses through the medium of the courts. Said commissioners shall prescribe a uniform system of accounts to be kept by all such corporations and companies. Any railroad corporation or transportation company which shall fail or refuse to conform to such rates as shall be established by such commissioners, or shall charge rates in excess thereof, or shall fail to keep their accounts in accordance with the system prescribed by the commission, shall be fined not exceeding twenty thousand dollars for each offense; and every officer, agent or employe of any such corporation or company, who shall demand or receive rates in excess thereof, or who shall in any manner violate the provisions of this section, shall be fined not exceeding five thousand dollars, or be imprisoned in the county jail not exceeding one year. In all controversies, civil or criminal, the rates of fares and freights established by said commission shall be deemed conclusively just and reasonable, and in any action against such corporation or company for damages sustained by charging excessive rates, the plaintiff, in addition to the actual damage, may, in the discretion of the judge or jury, recover exemplary damages. Said commissioners shall report to the Governor, annually,

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their proceedings, and such other facts as may be deemed important. Nothing in this section shall prevent individuals from maintaining actions against any of such companies. The Legislature may, in addition to any penalties herein prescribed, enforce this article by forfeiture of charter or otherwise, and may confer such further powers on the commissioners as shall be necessary to enable them to perform the duties enjoined on them in this and the foregoing section. The Legislature shall have power, by a two-thirds vote of all the members elected to each house, to remove any one or more of said commissioners from office for dereliction of duty or corruption or incompetency; and whenever, from any cause, a vacancy in office shall occur in said commission, the Governor shall fill the same by the appointment of a qualified person thereto, who shall hold office for the residue of the unexpired term, and until his successor shall have been elected and qualified.

KENTUCKY.**209.**

A commission is hereby established, to be known as "The Railroad Commission," which shall be composed of three commissioners. During the session of the General Assembly which convenes in December, eighteen hundred and ninety-one, and before the first day of June, eighteen hundred and ninety-two, the Governor shall appoint, by and with the advice and consent of the Senate, said three commissioners, one from each Superior Court district as now established, and said appointees shall take their office at the expiration of the terms

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Sec. Art.

of the present incumbents. The commissioners so appointed shall continue in office during the term of the present Governor, and until their successors are elected and qualified. At the regular election in eighteen hundred and ninety-five, and every four years thereafter, the commissioners shall be elected, one in each Superior Court district, by the qualified voters thereof, at the same time and for the same term as the Governor. No person shall be eligible to said office unless he be, at the time of his election, at least thirty years of age, a citizen of Kentucky two years, and a resident of the district from which he is chosen one year next preceding his election. Any vacancy in this office shall be filled as provided in section one hundred and fifty-two of this Constitution. The General Assembly may from time to time change said districts so as to equalize the population thereof; and may, if deemed expedient, require that the commissioners be all elected by the qualified voters of the State at large. And if so required, one commissioner shall be from each

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district. No person in the service of any railroad or common carrier company or corporation, or of any firm or association conducting business as a common carrier, or in any wise pecuniarily interested in such company, corporation, firm or association, or in the railroad business, or as a common carrier, shall hold such office. The powers and duties of the railroad commissioners shall be regulated by law; and until otherwise provided by law, the commission so created shall have the same powers and jurisdiction, perform the same duties, be subject to the same regulations, and receive the same compensation as now conferred, prescribed and allowed by law to the existing railroad commissioners. The General Assembly may, for cause, address any of said commissioners out of office by similar proceedings as in the case of judges of the Court of Appeals; and the General Assembly shall enact laws to prevent the nonfeasance and misfeasance in office of said commissioners, and to impose proper penalties therefor.

*Weighing and Delivering Freight.***ILLINOIS.****4. XIII.**

All railroad companies and other common carriers on railroads shall weigh or measure grain at points where it is shipped and receipt for the full amount, and shall be responsible for the delivery of such amount to the owner or consignee thereof, at the place of destination.

5. XIII.

All railroad companies receiving and transporting grain in bulk, or otherwise, shall deliver the same to any consignee thereof,

or any elevator or public warehouse to which it may be consigned, provided such consignee or the elevator or public warehouse can be reached by any track owned, leased or used, or which can be used, by such railroad companies and all railroad companies shall permit connections to be made with their track, so that any such consignee and any public warehouse, coal bank or coal yard may be reached by the cars on said railroad.

General Provisions.

Transportation Companies Must Accept the Provisions of this Constitution to Obtain the Benefits of Future Legislation.

Sec. Art.

ALABAMA.**25. XIV.**

No railroad, canal or other transportation company in existence at the time of the ratification of this Constitution shall have the benefit of any future legislation, by general or special laws, other than in execution of a trust created by law or by contract, except on the condition of complete acceptance of all provisions of this article.

COLORADO.**7. XV.**

No railroad or other transportation company in existence at the time of the adoption of this Constitution shall have the benefit of any future legislation without first filing in the office of the Secretary of State an acceptance of the provisions of this Constitution in binding form.

KENTUCKY.**190.**

No corporation in existence at the time of the adoption of this Constitution shall have the benefit of future legislation without first filing in the office of the Secretary of State an acceptance of the provisions of this Constitution.

MISSOURI.**21. XII.**

No railroad corporation in existence at the time of the adoption of this Constitution shall have the benefit of any future legis-

ARKANSAS.**5. XVII.**

No president, director, officer, agent or employe of any railroad or canal company shall be

Sec. Art.

interested, except on condition of complete acceptance of all the provisions of this Constitution applicable to railroads.

MONTANA.**8. XV.**

No railroad, express, or other transportation company, in existence at the time of the adoption of this Constitution, shall have the benefit of any future legislation, without first filing in the office of the Secretary of State an acceptance of the provisions of this Constitution in binding form.

PENNSYLVANIA.**10. XVII.**

No railroad, canal or other transportation company in existence at the time of the adoption of this article shall have the benefit of any future legislation by general or special laws, except on condition of complete acceptance of all the provisions of this article.

WYOMING.**6. X.**

No railroad or other transportation company or telegraph company in existence upon the adoption of this Constitution shall derive the benefit of any future legislation without first filing in the office of the Secretary of State an acceptance of the provisions of this Constitution.

Miscellaneous.

interested, directly or indirectly, in the furnishing of materials or supplies to such company or in the business of transportation as a common carrier of

General Provisions.

Sec. Art.

freight or passengers over the works owned, leased, controlled or worked by such company; nor in any arrangement which shall afford more advantageous terms or greater facilities than are offered or accorded to the public. And all contracts and arrangements in violation of this section shall be void.

12. XVII.

All railroads which are now or may be hereafter built and operated, either in whole or in part, in this State shall be responsible for all damages to person and property, under such regulations as may be prescribed by the General Assembly.

CALIFORNIA.

23. XII.

Until the Legislature shall district the State, the following shall be the railroad districts: The first district shall be composed of the counties of Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, El Dorado, Humboldt, Lake, Lassen, Mendocino, Modoc, Napa, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Yolo and Yuba, from which one railroad commissioner shall be elected. The second district shall be composed of the counties of Marin, San Francisco and San Mateo, from which one railroad commissioner shall be elected. The third district shall be composed of the counties of Alameda, Contra Costa, Fresno, Inyo, Kern, Los Angeles, Mariposa, Merced, Mono, Monterey, San Benito, San Bernardino, San Diego, San Joaquin, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, Stanislaus, Tulare, Tuolumne and Ventura, from which

Sec. Art.

one railroad commissioner shall be elected.

COLORADO.

12. XV.

The General Assembly shall pass no law for the benefit of a railroad or other corporation, or any individual, or association of individuals, retrospective in its operation, or which imposes on the people of any county or municipal subdivision of the State, a new liability in respect to transactions or considerations already past.

MISSISSIPPI.

95. IV.

Lands belonging to, or under the control of the State, shall never be donated directly, or indirectly, to private corporations or individuals, or to railroad companies. Nor shall such land be sold to corporations or associations for a less price than that for which it is subject to sale to individuals. This, however, shall not prevent the Legislature from granting a right of way, not exceeding one hundred feet in width, as a mere easement, to railroads across State land, and the Legislature shall never dispose of the land covered by said right of way so long as such easement exists.

MISSOURI.

22. XII.

No president, director, officer, agent or employe of any railroad company shall be interested, directly or indirectly, in furnishing material or supplies to such company, or in the business of transportation as a common carrier of freight or passengers over the works owned, leased, controlled or worked by such company.

General Provisions.

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MONTANA.**13. XV.**

The Legislative Assembly shall pass no law for the benefit of a railroad or other corporation, or any individual or association of individuals, retrospective in its operation, or which imposes on the people of any county or municipal subdivision of the State, a new liability in respect to transactions or considerations already passed.

PENNSYLVANIA.**24. III.**

No obligation or liability of any railroad or other corporation, held or owned by the Commonwealth, shall ever be exchanged, transferred, remitted, postponed or in any way diminished by the General Assembly, nor shall such liability or obligation be released, except by payment thereof into the State treasury.

6. XVII.

No president, director, officer, agent or employe of any railroad or canal company shall be interested, directly or indirectly, in the furnishing of material or supplies to such company, or in the business of transportation as a common carrier of freight or passengers over the works owned, leased, controlled or worked by such company.

8. XVII.

No railroad, railway or other transportation company shall grant free passes, or passes at a discount, to any person except officers or employes of the company.

11. XVII.

The existing powers and duties of the Auditor-General in regard to railroads, canals and other transportation companies, except as to their accounts, are hereby transferred to the Sec-

Sec. Art.

retary of Internal Affairs, who shall have a general supervision over them, subject to such regulations and alterations as shall be provided by law; and, in addition to the annual reports now required to be made, said secretary may require special reports at any time upon any subject relating to the business of said companies from any officer or officers thereof.

12. XVII.

The General Assembly shall enforce by appropriate legislation the provisions of this article.

TEXAS.**7. X.**

No law shall be passed by the Legislature granting the right to construct and operate a street railroad within any city, town or village, or upon any public highway, without first acquiring the consent of the local authorities having control of the street or highway proposed to be occupied by such street railroad.

3. XIV.

The Legislature shall have no power to grant any of the lands of this State to any railway company except upon the following restrictions and conditions:

First. That there shall never be granted to any such corporation more than sixteen sections to the mile, and no reservation of any part of the public domain for the purpose of satisfying such grant shall ever be made.

Second. That no land certificate shall be issued to such company until they have equipped, constructed and in running order at least ten miles of road, and on the failure of such company to comply with the terms of its charter, or to alienate its land at a period to be fixed by law, in no event to exceed twelve

General Provisions.

Sec. Art.

years, from the issuance of the patent, all said land shall be forfeited to the State and become a portion of the public domain, and liable to location and survey. The Legislature shall pass general laws only, to give effect to the provisions of this section.

25. XVI

That all drawbacks and rebate-ment of insurance, freight, transportation, carriage, wharfage, storage, compressing, baling, repairing, or for any other kind of labor or service, of or to any cotton, grain or any other produce or article of commerce in this State, paid or allowed or contracted for, to any common carrier, shipper, merchant, com-

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mission merchant, factor, agent, or middleman of any kind, not the true and absolute owner thereof, are forever prohibited, and it shall be the duty of the Legislature to pass effective laws punishing all persons in this State who pay, receive, or contract for or respecting the same.

16. XVI.

Every person, corporation or company that may commit a homicide through willful act or omission or gross neglect, shall be responsible in exemplary damages to the surviving husband, wife, heirs of his or her body, or such of them as there may be, without regard to any criminal proceedings that may or may not be had in relation to the homicide.

ARTICLE IX.

PROVISION FOR MAINTENANCE OF FREE SCHOOLS.

- 1** Section 1. The Legislature shall provide for the main-
2 tance and support of a system of free common schools, wherein
3 all the children of this State may be educated.

UNIVERSITY OF THE STATE OF NEW YORK.

1 Sec. 2. The corporation created in the year one thou-
2 sand seven hundred and eighty-four, under the name of The
3 Regents of the University of the State of New York, is hereby
4 continued under the name of The University of the State of
5 New York. It shall be governed and its corporate powers,
6 which may be increased, modified or diminished by the Legis-
7 lature, shall be exercised, by not less than nine regents.

COMMON SCHOOL, LITERATURE AND UNITED STATES DEPOSIT FUNDS.

1 Sec. 3. The capital of the common school fund, the
 2 capital of the literature fund, and the capital of the United
 3 States deposit fund, shall be respectively preserved inviolate.
 4 The revenues of the said common school fund shall be applied
 5 to the support of common schools; the revenues of the said
 6 literature fund shall be applied to the support of academies;
 7 and the sum of twenty-five thousand dollars of the revenues
 8 of the United States deposit fund shall each year be appro-
 9 priated to and made part of the capital of the said common
 10 school fund.

Sec. Art.**ALABAMA.****1. XIII.**

The General Assembly shall establish, organize and maintain a system of public schools throughout the State for the equal benefit of the children thereof, between the ages of seven and twenty-one years; but separate schools shall be provided for the children of African descent.

2. XIII.

The principal of all funds arising from the sale or other disposition of lands or other property, which has been or may hereafter be granted or intrusted to this State, or given by the United States for educational purposes, shall be preserved inviolate and undiminished; and the income arising therefrom shall

Sec. Art.

be faithfully applied to the specific objects of the original grants or appropriations.

3. XIII.

All lands or other property given by individuals, or appropriated by the State for educational purposes, and all estates of deceased persons, who die without leaving a will or heir, shall be faithfully applied to the maintenance of the public schools.

5. XIII.

The income arising from the sixteenth section trust fund, the surplus revenue fund, until it is called for by the United States government, and the funds enumerated in sections three and four of this article, with such other moneys, to be not less than one hundred thousand dol-

Common School, Literature, etc.

Sec. Art.

lars per annum, as the General Assembly shall provide by taxation or otherwise, shall be applied to the support and maintenance of the public schools, and it shall be the duty of the General Assembly to increase, from time to time, the public school fund, as the condition of the treasury and the resources of the State will admit.

6. XIII.

Not more than four per cent of all moneys raised, or which may hereafter be appropriated for the support of the public schools, shall be used or expended otherwise than for the payment of teachers, employed in such schools: Provided, That the General Assembly may, by a vote of two-thirds of each house suspend the operation of this section.

ARKANSAS.**1. XIV.**

Intelligence and virtue being the safeguards of liberty and the bulwark of a free and good government, the State shall ever maintain a general, suitable and efficient system of free schools whereby all persons in the State between the ages of six and twenty-one years may receive gratuitous instruction.

2. XIV.

No money or property belonging to the public school fund, or to this State for the benefit of the schools or universities, shall ever be used for any other purpose than for the respective purposes to which it belongs.

CALIFORNIA.**1. IX.**

A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the Legislature shall encourage by

Sec. Art.

all suitable means the promotion of intellectual, scientific, moral, and agricultural improvement.

4. IX.

The proceeds of all lands that have been or may be granted by the United States to this State for the support of common schools, which may be, or may have been, sold or disposed of, and the five hundred thousand acres of land granted to the new States under an act of Congress distributing the proceeds of the public lands among the several States of the Union, approved A. D., one thousand eight hundred and forty-one, and all estates of deceased persons who may have died without leaving a will or heir, and also such per cent as may be granted, or may have been granted, by Congress on the sale of lands in this State, shall be and remain a perpetual fund, the interest of which, together with all the rents of the unsold lands, and such other means as the Legislature may provide, shall be inviolably appropriated to the support of common schools, throughout the State.

5. IX.

The Legislature shall provide for a system of common schools by which a free school shall be kept up and supported in each district at least six months in every year, after the first year in which a school has been established.

6. IX.

The public school system shall include primary and grammar schools, and such high schools, evening schools, normal schools, and technical schools as may be established by the Legislature, or by municipal or district authority; but the entire revenue

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derived from the State School Fund, and the State School tax, shall be applied exclusively to the support of primary and grammar schools.

COLORADO.**2. IX.**

The General Assembly shall, as soon as practicable, provide for the establishment and maintenance of a thorough and uniform system of free public schools throughout the State, wherein all residents of the State between the ages of six and twenty-one years may be educated gratuitously. One or more public schools shall be maintained in each school district within the State, at least three months in each year; any school district failing to have such school shall not be entitled to receive any portion of the school fund for that year.

3. IX.

The public school fund of the State shall forever remain inviolate and intact; the interest thereon, only, shall be expended in the maintenance of the schools of the State, and shall be distributed amongst the several counties and school districts of the State, in such manner as may be prescribed by law. No part of this fund, principal or interest, shall ever be transferred to any other fund, or used or appropriated except as herein provided. The State Treasurer shall be the custodian of this fund, and the same shall be securely and profitably invested as may be by law directed. The State shall supply all losses thereof that may in any manner occur.

4. IX.

Each county treasurer shall collect all school funds belonging to his county, and the several

Sec. Art.

school districts therein, and disburse the same to the proper districts upon warrants drawn by the county superintendent, or by the proper district authorities as may be provided by law.

5. IX.

The public school fund of the State shall consist of the proceeds of such lands as have heretofore been, or may hereafter be granted to the State by the general government for educational purposes; all estates that may escheat to the State; also all other grants, gifts or devises that may be made to this State for educational purposes.

CONNECTICUT.**2. VIII.**

The fund called the School Fund shall remain a perpetual fund, the interest of which shall be inviolably appropriated to the support and encouragement of the public or common schools throughout the State, and for the equal benefit of all the people thereof. The value and amount of said fund shall, as soon as practicable, be ascertained in such manner as the General Assembly may prescribe, published and recorded in the Comptroller's office, and no law shall ever be made authorizing said fund to be diverted to any other use than the encouragement and support of public or common schools, among the several school societies, as justice and equity shall require.

FLORIDA.**1. XII.**

The Legislature shall provide for a uniform system of public free schools, and shall provide for the liberal maintenance of the same.

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4. XII.

The State school fund, the interest of which shall be exclusively applied to the support and maintenance of public free schools, shall be derived from the following sources:

The proceeds of all lands that have been or may hereafter be granted to the State by the United States for public school purposes.

Donations to the State when the purpose is not specified.

Appropriations by the State.

The proceeds of escheated property or forfeitures.

Twenty-five per cent of the sales of public lands which are now or may hereafter be owned by the State.

5. XII.

The principal of the State school fund shall remain sacred and inviolate.

9. XII.

The county school fund shall consist, in addition to the tax provided for in section eight of this article, of the proportion of the interest of the State school fund and of the one mill State tax apportioned to the county; the net proceeds of all fines collected under the penal laws of the State within the county; all capitation taxes collected within the county; and shall be disbursed by the County Board of Public Instruction solely for the maintenance and support of public free schools.

11. XII.

Any incorporated town or city may constitute a school district. The fund raised by section ten may be expended in the district where levied for building or repairing school houses, for the purchase of school libraries and text-books, for salaries of

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teachers, or for other educational purposes, so that the distribution among all the schools of the district be equitable.

13. XII.

No law shall be enacted authorizing the diversion or the lending of any county or district school funds, or the appropriation of any part of the permanent or available school fund to any other than school purposes: nor shall the same or any part thereof, be appropriated to or used for the support of any sectarian school.

15. XII.

The compensation of all county school officers shall be paid from the school fund of their respective counties, and all other county officers receiving stated salaries shall be paid from the general funds of their respective counties.

GEORGIA.

1. VIII.

Par. 1. There shall be a thorough system of common schools for the education of children in the elementary branches of an English education only, as nearly uniform as practicable, the expenses of which shall be provided for by taxation, or otherwise. The schools shall be free to all children of the State, but separate schools shall be provided for the white and colored races.

IDAHO.

1. IX.

The stability of a republican form of government depending mainly upon the intelligence of the people, it shall be the duty of the Legislature of Idaho to establish and maintain a general uniform and thorough system of public, free common schools.

3. IX.

The public school fund of the

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State shall forever remain inviolate and intact; the interest thereon only shall be expended in the maintenance of the schools of the State, and shall be distributed among the several counties and school districts of the State in such manner as may be prescribed by law. No part of this fund, principal or interest, shall ever be transferred to any other fund, or used or appropriated except as herein provided. The State Treasurer shall be the custodian of this fund, and the same shall be securely and profitably invested as may be by law directed. The State shall supply all losses thereof that may in any manner occur.

4. IX.

The public school fund of the State shall consist of the proceeds of such lands as have heretofore been granted, or may hereafter be granted, to the State by the general government, known as school lands, and those granted in lieu of such; lands acquired by gift or grant from any person or corporation, under any law or grant of the general government; and of all other grants of land or money made to the State from the general government for general educational purposes, or where no other special purpose is indicated in such grant; all estates or distributive shares of estates that may escheat to the State; all unclaimed shares and dividends of any corporation incorporated under the laws of the State; and all other grants, gifts, devises, or bequests made to the State for general educational purposes.

11. IX.

The permanent educational funds, other than funds arising from

Sec. Art.

the disposition of university lands belonging to the State shall be loaned on first mortgage on improved farm lands within the State, or on State or United States bonds, under such regulations as the Legislature may provide: Provided, That no loan shall be made of any amount of money, exceeding one-third of the market value of the lands at the time of the loan, exclusive of buildings.

ILLINOIS.

1. VIII.

The General Assembly shall provide a thorough and efficient system of free schools whereby all children of this State may receive a good common school education.

2. VIII.

All lands, moneys or other property, donated, granted or received for school, college, seminary or university purposes, and the proceeds thereof, shall be faithfully applied to the objects for which such gifts or grants were made.

INDIANA.

1. VIII.

Knowledge and learning generally diffused throughout a community, being essential to the preservation of a free government. It shall be the duty of the General Assembly to encourage, by all suitable means, moral, intellectual, scientific and agricultural improvement, and to provide by law for a general and uniform system of common schools, wherein tuition shall be without charge, and equally open to all.

2. VIII.

The common school fund shall consist of the congressional township fund, and the lands belonging thereto;

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The surplus revenue fund;
The saline fund, and the lands
belonging thereto;

The bank tax fund, and the fund
arising from the one hundred
and fourteenth section of the
charter of the State Bank of
Indiana;

The fund to be derived from the
sale of county seminaries, and
the moneys and property heretofore held for such seminaries; from the fines assessed for breaches of the penal laws of the State; and from all forfeitures which may accrue;

All lands and other estate which
shall escheat to the State for
want of heirs or kindred entitled to the inheritance;

All lands that have been or may
hereafter be granted to the
State, where no special purpose
is expressed in the grant, and
the proceeds of the sales thereof; including the proceeds of the sales of the Swamp Lands granted to the State of Indiana by the act of Congress of the 28th of September, 1850, after deducting the expense of selecting and draining the same;

Taxes on the property of corporations that may be assessed by the General Assembly for common school purposes.

3. VIII.

The principal of the common school fund shall remain a perpetual fund, which may be increased, but shall never be diminished; and the income thereof shall be inviolably appropriated to the support of common schools, and to no other purpose whatever.

4. VIII.

The General Assembly shall invest, in some safe and profitable manner, all such portions of the common school fund as have not heretofore been in-

Sec. Art.

trusted to the several counties; and shall make provision, by law, for the distribution, among the several counties, of the interest thereof.

5. VIII.

If any county shall fail to demand its proportion of such interest for common school purposes, the same shall be reinvested for the benefit of such county.

6. VIII.

The several counties shall be held liable for the preservation of so much of said fund as may be intrusted to them, and for the payment of the annual interest thereon.

IOWA.

1. IX.

The educational and school funds of this State shall be under the control and management of the General Assembly of this State.

2. IX.

The university lands, and the proceeds thereof, and all moneys belonging to said fund, shall be a permanent fund for the sole use of the State University. The interest arising from the same shall be annually appropriated for the support and benefit of said university.

3. IX.

The General Assembly shall encourage, by all suitable means, the promotion of intellectual, scientific, moral and agricultural improvement. The proceeds of all lands that have been, or hereafter may be, granted by the United States to this State, for the support of schools, which may have been, or shall hereafter be, sold or disposed of, and the five hundred thousand acres of land granted to the new States, under an act of Congress, dis-

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tributing the proceeds of the public lands among the several States of the Union, approved in the year of our Lord one thousand eight hundred and forty-one, and all estates of deceased persons who may have died without leaving a will or heir, and also such per cent as has been, or may be, granted by Congress on the sale of lands in this State, shall be, and remain forever, a perpetual fund, the interest of which, together with all rents of the unsold lands, and such other means as the General Assembly may provide, shall be inviolably appropriated to the support of the common schools throughout the State.

4. IX.

The money which may have been or shall be paid by persons as an equivalent for exemption from military duty, and the clear proceeds of all fines collected in the several counties for any breach of the penal laws, shall be exclusively applied in the several counties in which such money is paid or fine collected among the several school districts of said counties, in proportion to the number of youths subject to enumeration in such districts to the support of common schools, or the establishment of libraries, as the board of education shall from time to time provide.

5. IX.

The General Assembly shall take measures for the protection, improvement or other disposition of such lands as have been, or may hereafter be reserved, or granted by the United States, or any person or persons, to this State, for the use of the university, and the funds accruing from the rents or sale

Sec. Art.

of such lands, or from any other source for the purpose aforesaid, shall be and remain a permanent fund, the interest of which shall be applied to the support of said university, for the promotion of literature, the arts and sciences, as may be authorized by the terms of such grant. And it shall be the duty of the General Assembly, as soon as may be, to provide effectual means for the improvement and permanent security of the funds of said university.

6. IX.

The financial agents of the school funds shall be the same that by law receive and control the State and county revenue for other civil purposes, under such regulations as may be provided by law.

7. IX.

The money subject to the support and maintenance of common schools shall be distributed to the districts in proportion to the number of youths between the ages of five and twenty-one years, in such manner as may be provided by the General Assembly.

KANSAS.

2. VI.

The Legislature shall encourage the promotion of intellectual, moral, scientific and agricultural improvement, by establishing a uniform system of common schools, and schools of a higher grade, embracing normal, preparatory, collegiate and university departments.

3. VI.

The proceeds of all lands that have been, or may be, granted by the United States to the State for the support of schools, and the five hundred thousand acres of land granted to the new States, under an act of

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Congress distributing the proceeds of public lands among the several States of the Union, approved September 4, A. D. 1841, and all estates of persons dying without heir or will, and such per cent as may be granted by Congress on the sale of lands in this State, shall be the common property of the State, and shall be a perpetual school fund, which shall not be diminished, but the interest of which, together with all the rents of the lands, and such other means as the Legislature may provide, by tax or otherwise, shall be inviolably appropriated to the support of common schools.

6. VI.

All money which shall be paid by persons as an equivalent for exemption from military duty, the clear proceeds of estrays, ownership of which shall vest in the taker-up, and the proceeds of fines for any breach of the penal laws, shall be exclusively applied in the several counties in which the money is paid or fines collected to the support of common schools.

KENTUCKY.

183.

The General Assembly shall, by appropriate legislation, provide for an efficient system of common schools throughout the State.

185.

The General Assembly shall make provision, by law, for the payment of the interest of said school fund, and may provide for the sale of the stock in the Bank of Kentucky; and in case of a sale of all or any part of said stock, the proceeds of sale shall be invested by the sinking fund commissioners in other good interest bearing stocks or bonds, which shall be

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subject to sale and reinvestment, from time to time, in like manner, and with the same restrictions, as provided with reference to the sale of the said stock in the Bank of Kentucky.

186.

Each county in the Commonwealth shall be entitled to its proportion of the school fund on its census of pupil children for each school year; and if the pro rata share of any school district be not called for after the second school year, it shall be covered into the treasury and be placed to the credit of the school fund for general apportionment the following school year. The surplus now due the several counties shall remain a perpetual obligation against the Commonwealth for the benefit of said respective counties, for which the Commonwealth shall execute its bonds, bearing interest at the rate of six per centum per annum, payable annually to the counties respectively entitled to the same, and in the proportion to which they are entitled, to be used exclusively in aid of common schools.

188.

So much of any moneys as may be received by the Commonwealth from the United States under the recent act of Congress refunding the direct tax shall become a part of the school fund, and be held as provided in section one hundred and eighty-four; but the General Assembly may authorize the use, by the Commonwealth, of the moneys so received or any part thereof, in which event a bond shall be executed to the board of education for the amount so used, which bond shall be held on the same terms and conditions and subject to the provisions of section one

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hundred and eighty-four, concerning the bond therein referred to.

LOUISIANA.

Art. 208. The General Assembly shall levy an annual poll-tax for the maintenance of public schools upon every male inhabitant in the State over the age of twenty-one years, which shall never be less than one dollar nor exceed one dollar and a half per capita, and the General Assembly shall pass laws to enforce payment of said tax.

Art. 224. There shall be free public schools established by the General Assembly throughout the State for the education of all the children of the State between the ages of six and eighteen years; and the General Assembly shall provide for their establishment, maintenance and support by taxation or otherwise. And all moneys so raised, except the poll tax, shall be distributed to each parish in proportion to the number of children between the ages of six and eighteen years.

Art. 227. The funds derived from the collection of the poll-tax shall be applied exclusively to the maintenance of the public schools as organized under this Constitution, and shall be applied exclusively to the support of the public schools in the parish in which the same shall be collected, and shall be accounted for and paid by the collecting officers directly to the competent school authorities of each parish.

Art. 229. The school funds of this State shall consist of:

1. The proceeds of taxation for school purposes, as provided in this Constitution.
2. The interest on the proceeds of all public lands heretofore

Sec. Art.

granted by the United States for the use and support of the public schools.

3. Of lands and other property which may hereafter be bequeathed, granted or donated to the State, or generally for school purposes.

4. All funds or property, other than unimproved lands, bequeathed or granted to the State, not designated for other purposes.

5. The proceeds of vacant estates falling under the law to the State of Louisiana.

The Legislature may appropriate to the same fund the proceeds, in whole or in part, of public lands not designated for any other purpose, and shall provide that every parish may levy a tax for the public schools therein, which shall not exceed the State tax: Provided, That with such tax the whole amount of parish tax shall not exceed the limits of parish taxation fixed by this Constitution.

Art. 233. The debt due by the State to the free school fund is hereby declared to be the sum of one million one hundred and thirty thousand eight hundred and sixty-seven and 51-100 dollars in principal, and shall be placed on the books of the Auditor and Treasurer to the credit of the several townships entitled to the same; the said principal being the proceeds of the sales of lands heretofore granted by the United States for the use and support of free public schools, which amount shall be held by the State as a loan, and shall be and remain a perpetual fund, on which the State shall pay an annual interest of four per cent from the first day of January, 1880, and that said interest shall be paid to the several

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townships in the State entitled to the same, in accordance with the act of Congress, No. 68, approved February 15, 1843; and the bonds of the State heretofore issued belonging to said fund and sold under act of the General Assembly, No. 81, of 1872, are hereby declared null and void, and the General Assembly shall make no provision for their payment and may cause them to be destroyed.

The debt due by the State to the seminary fund is hereby declared to be one hundred and thirty-six thousand dollars, being the proceeds of the sales of lands heretofore granted by the United States to the State for the use of a seminary of learning, and said amount shall be placed to the credit of said fund on the books of the Auditor and Treasurer of the State as a perpetual loan, and the State shall pay an annual interest of four per cent on said amount from January 1, 1880, for the use of said seminary of learning; and the consolidated bonds of the State now held for use of said fund shall be null and void after the first day of January, 1880, and the General Assembly shall never make any provision for their payment, and they shall be destroyed in such manner as the General Assembly may direct.

The debt due by the State to the Agricultural and Mechanical College fund is hereby declared to be the sum of one hundred and eighty-two thousand three hundred and thirteen and 3-100 dollars, being the proceeds of the sales of lands and land script heretofore granted by the United States to this State for the use of a college for the benefit of agriculture and the mechanic arts; said amounts

Sec. Art.

shall be placed to the credit of said fund on the books of the Auditor and Treasurer of the State as a perpetual loan, and the State shall pay an annual interest of five per cent on said amount from January 1, 1880, for the use of said Agricultural and Mechanical College; the consolidated bonds of the State now held by the State for the use of said fund shall be null and void after the first day of January, 1880, and the General Assembly shall never make any provision for their payment, and they shall be destroyed in such manner as the General Assembly may direct.

The interest provided for by this article shall be paid out of any tax that may be levied and collected for the general purposes of public education.

MAINE.

VIII.

A general diffusion of the advantages of education being essential to the preservation of the rights and liberties of the people; to promote this important object, the Legislature is authorized, and it shall be their duty to require the several towns to make suitable provision, at their own expense, for the support and maintenance of public schools; and it shall further be their duty to encourage and suitably endow, from time to time, as the circumstances of the people may authorize, all academies, colleges and seminaries of learning within the State: Provided, That no donation, grant or endowment shall at any time be made by the Legislature to any literary institution now established, or which may hereafter be established, unless, at the time of making such endowment, the

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Legislature of the State shall have the right to grant any further powers to alter, limit or restrain any of the powers vested in any such literary institution, as shall be judged necessary to promote the best interests thereof.

MARYLAND.

1. VIII.

The General Assembly, at its first session after the adoption of this Constitution, shall by law establish throughout the State a thorough and efficient system of free public schools; and shall provide, by taxation or otherwise, for their maintenances.

3. VIII.

The school fund of the State shall be kept inviolate and appropriated only to the purposes of education.

MASSACHUSETTS.

2.

Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of Legislatures and magistrates, in all future periods of this Commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the prin-

Sec. Art.

ciples of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings, sincerity, good humor and all social affections, and generous sentiments, among the people. (For further provisions as to public schools, see amendments. Art. XVIII.)

Art. XVIII. All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the State for the support of common schools, shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is expended; and such moneys shall never be appropriated to any religious sect for the maintenance, exclusively, of its own school.

MICHIGAN.

211. VIII.

The Legislature shall enact such laws as may be necessary to ascertain the true condition of the title to the sixteen sections of land in this State or land granted in lieu thereof, in the Choctaw purchase, and shall provide that the sixteen sections of land reserved for the support of the township schools shall not be sold, nor shall they be leased for a longer term than ten years for a gross sum; but the Legislature may provide for the lease of any of said land for a term not exceeding twenty-five years for a ground rental, payable annually, and, in case of uncleared lands, may lease them for such short term as may be deemed proper in consideration of the improvement

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hereof, with right thereafter to lease for a term, or to hold on payment of ground rent.

212. VIII.

The rate of interest on the fund known as the Chickasaw school fund, and other trust funds for educational purposes, for which the State is responsible, shall be fixed and remain as long as said funds are held by the State, at six per centum per annum from and after the close of the fiscal year, A. D. 1891, and the distribution of said interest shall be made semi-annually on the first of May and November of each year.

2. XIII.

The proceeds from the sale of all lands that have been or hereafter may be granted by the United States to the State, for educational purposes, and the proceeds of all lands or other property given by individuals, or appropriated by the State for like purposes, shall be and remain a perpetual fund, the interest and income of which, together with the rents of all such lands, as may remain unsold, shall be inviolably appropriated and annually applied to the specific objects of the original gift, grant or appropriation.

4. XIII.

The Legislature shall, within five years from the adoption of this Constitution, provide for and establish a system of primary schools, whereby a school shall be kept without charge for tuition, at least three months in each year, in every school district in the State; and all instructions in said schools shall be conducted in the English language.

11. XIII.

The Legislature shall encourage

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the promotion of intellectual, scientific and agricultural improvement, and shall, as soon as practicable, provide for the establishment of an agricultural school. The Legislature may appropriate the twenty-two section of salt spring lands now unappropriated, or the money arising from the sale of the same, where such lands have been already sold, and any land which may hereafter be granted or appropriated for such purpose, for the support and maintenance of such school, and may make the same branch of the university, for instruction in agriculture and the natural sciences connected therewith, and place the same under the supervision of the Regents of the University.

MINNESOTA.

1. VIII.

The stability of a republican form of government depending mainly upon the intelligence of the people, it shall be the duty of the Legislature to establish a general and uniform system of public schools.

2. VIII.

The proceeds of such lands as are or hereafter may be granted by the United States for the use of schools within each township of this State, shall remain a perpetual school fund to the State, and not more than one-third (1-3) of said lands may be sold in two (2) years, one-third (1-3) in five (5) years, and one-third (1-3) in ten (10) years; but the lands of the greatest valuation shall be sold first, provided that no portion of said lands shall be sold otherwise than at public sale. Principal of all funds arising from sales or other disposition of lands or other property, granted or en-

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trusted to this State in each township for educational purposes, shall forever be preserved inviolate and undiminished; and the income arising from the lease or sale of said school land shall be distributed to the different townships throughout the State, in proportion to the number of scholars in each township, between the ages of five and twenty-one years; and shall be faithfully applied to the specific objects of the original grants or appropriations. Suitable laws shall be enacted by the Legislature for the safe investment of the principal of all funds which have heretofore arisen or which may hereafter arise from the sale or other disposition of such lands, or the income from such lands accruing in any way before the sale or disposition thereof, in interest bearing bonds of the United States, or of the State of Minnesota, issued after the year one thousand eight hundred and sixty (1860), or of such other State as the Legislature may, by law, from time to time direct. All swamp lands now held by the State, or that may hereafter accrue to the State, shall be appraised and sold in the same manner and by the same officers, and the minimum price shall be the same less one-third (1-3), as is provided by law for the appraisalment and sale of the school lands under the provisions of title one (1) of chapter thirty-eight (38) of the General Statutes. The principal of all funds derived from sales of swamp lands as aforesaid shall forever be preserved inviolate and undiminished. One-half (1-2) of the proceeds of said principal shall be appropriated to the common school fund of the State; the remain-

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ing one-half (1-2) shall be appropriated to the educational and charitable institutions of the State in the relative ratio of cost to support said institutions.

3. VIII.

The Legislature shall make such provisions, by taxation or otherwise, as, with the income arising from the school fund, will secure a thorough and efficient system of public schools in each township in the State. But in no case shall the moneys derived as aforesaid, or any portion thereof, or any public moneys or property, be appropriated or used for the support of schools wherein the distinctive doctrines, creeds or tenets of any particular Christian or other religious sect are promulgated or taught.

5. VIII.

The permanent school funds of the State may be loaned upon interest at the rate of five (5) per cent per annum to the several counties or school districts of the State, to be used in the erection of county or school buildings. No such loan shall be made until approved by a board consisting of the Governor, the State Auditor and the State Treasurer, who are hereby constituted an investment board for the purpose of the loans hereby authorized; nor shall any such loan be for an amount exceeding three (3) per cent of the last preceding assessed valuation of the real estate of the county of school district receiving the same. The State Auditor shall annually, at the time of certifying the State tax to the several county auditors, also certify to each auditor to whose county, or to any of the school districts of whose

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county any such loan shall have been made, the tax necessary to be levied to meet the accruing interest or principal of any such loan, and it shall be the duty of every such county auditor forthwith to levy and extend such tax upon all the taxable property in his county, or of the several school districts respectively, liable for such loans—as the case may be—and in all such cases the tax so assessed shall be fifty (50) per cent in excess of the amount actually necessary to be raised on account of such accruing principal or interest. It shall be levied, collected and paid into the county and State treasuries in the same manner as State taxes, and any excess collected over the amount of such principal or interest accruing in any given year shall be credited to the general funds of the respective counties or school districts. No change of the boundaries of any school district after the making of any such loan shall operate to withdraw any property from the taxation herein provided for; nor shall any law be passed extending the time of payment of any such principal or interest, or reducing the rate of such interest, or in any manner waiving or impairing any rights of the State in connection with any such loan. Suitable laws, not inconsistent with this amendment, may be passed by the Legislature for the purpose of carrying the same into effect.

12. IX.

Suitable laws shall be passed by the Legislature for the safe keeping, transfer and disbursement of the State and school funds; and all officers and other persons charged with the same

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or any part of the same, or the safe keeping thereof, shall be required to give ample security for all moneys and funds of any kind received by them; to make forthwith and keep an accurate entry of each sum received, and of each payment and transfer; and if any of said officers or other persons shall convert to his own use in any manner or form, or shall loan, with or without interest, or shall deposit in his own name, or otherwise than in the name of the State of Minnesota; or shall deposit in banks or with any person or persons, or exchange for (other) funds or property, any portion of the funds of the State or of the school funds aforesaid, except in the manner prescribed by law, every such act shall be and constitute an embezzlement of so much of the aforesaid State and school funds, or either of the same, as shall be thus taken, or loaned or deposited, or exchanged, and shall be a felony; and any failure to pay over, produce, or account for the State school funds, or any part of the same entrusted to such officer or persons as by law required on demand, shall be held and be taken to be prima facie evidence of such embezzlement.

MISSISSIPPI.

201. VIII.

It shall be the duty of the Legislature to encourage by all suitable means, the promotion of intellectual, scientific, moral and agricultural improvements, by establishing a uniform system of free public schools, by taxation or otherwise, for all children between the ages of five and twenty-one years, and,

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as soon as practicable, to establish schools of higher grade.

MISSOURI.

1. XI.

A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the General Assembly shall establish and maintain free public schools for the gratuitous instruction of all persons in this State between the ages of six and twenty years.

2. XI.

The income of all the funds provided by the State for the support of free public schools shall be paid annually to the several county treasurers, to be disbursed according to law; but no school district in which a free public school has not been maintained at least three months during the year for which the distribution is made, shall be entitled to receive any portion of such funds.

3. XI.

The proceeds of all lands that have been or hereafter may be granted by the United States to this State, and not otherwise appropriated by this State or the United States; also, all moneys, stocks, bonds, lands and other property now belonging to any State fund for purposes of education; also, the net proceeds of all sales of lands and other property and effects that may accrue to the State by escheat, from unclaimed dividends and distributive shares of the estates of deceased persons; also, any proceeds of the sales of the public lands which may have been or hereafter may be paid over to this State (if Congress will consent to such appropriation); also, all other grants, gifts or

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devises that have been or hereafter may be made to this State, and not otherwise appropriated by the State or the terms of the grant, gift or devise, shall be paid into the State treasury, and securely invested and sacredly preserved as a public school fund; the annual income of which fund, together with so much of the ordinary revenue of the State as may be by law set apart for that purpose, shall be faithfully appropriated for establishing and maintaining the free public schools and the State University, in this article provided for, and for no other uses or purposes whatsoever.

7. XI.

In case the public school fund now provided and set apart by law for the support of free public schools shall be insufficient to sustain a free school at least four months in every year in each school district in this State, the General Assembly may provide for such deficiency in accordance with section eleven of the article on revenue and taxation; but in no case shall there be set apart less than twenty-five per cent of the State revenue, exclusive of the interest and sinking fund, to be applied annually to the support of the public schools.

8. XI.

All moneys, stocks, bonds, lands and other property belonging to a county school fund; also, the net proceeds from the sale of estrays; also, the clear proceeds of all penalties and forfeitures, and of all fines collected in the several counties for any breach of the penal or military laws of the State, and all moneys which shall be paid by persons as an equivalent for

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exemption from military duty, shall belong to and be securely invested and sacredly preserved in the several counties, as a county public school fund; the income of which fund shall be faithfully appropriated for establishing and maintaining free public schools in the several counties of this State.

MONTANA.1. **XI.**

It shall be the duty of the Legislative Assembly of Montana to establish and maintain a general uniform and thorough system of public free common schools.

2. **XI.**

The public school fund of the State shall consist of the proceeds of such lands as have heretofore been granted, or may hereafter be granted, to the State by the general government, known as school lands; and those granted in lieu of such lands; lands acquired by gift or grant from any person or corporation under any law or grant of the general government; and of all other grants of land or money made to the State from the general government for general educational purposes or where no other special purpose is indicated in such grant; all estates, or distributive shares of estates that may escheat to the State; all unclaimed shares and dividends of any corporation incorporated under the laws of the State, and all other grants, gifts, devises or bequest made to the State for general educational purposes.

3. **XI.**

Such public school fund shall forever remain inviolate, guaranteed by the State against loss or diversion, to be invested, so

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far as possible, in public securities within the State, including school district bonds, issued for the erection of school buildings, under the restrictions to be provided by law.

5. **XI.**

The interest on all invested school funds of the State, and all rents accruing from the leasing of any school land, shall be apportioned to the several school districts of the State in proportion to the number of children and youths between the ages of six and twenty-one years, residing therein respectively, but no district shall be entitled to such distributive share that does not maintain a public free school for at least three months during the year for which distributions shall be made.

7. **XI.**

The public free schools of the State shall be open to all children and youth between the ages of six and twenty-one years.

10. **XI.**

The Legislative Assembly shall provide that all elections for school district officers shall be separate from those elections at which State or county officers are voted for.

NEBRASKA.2. **VIII.**

All lands, money, or other property granted or bequeathed, or in any manner conveyed, to this State for educational purposes shall be used and expended with the terms of such grant, bequest, or conveyance.

3. **VIII.**

The following are hereby declared to be perpetual funds for common school purposes, of which the annual interest or income

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only can be appropriated, to wit:

First. Such per centum as has been, or may hereafter be, granted by Congress on the sale of lands in this State.

Second. All moneys arising from the sale or leasing of sections numbers sixteen and thirty-six in each township in the State, and the lands selected, or that may be selected in lieu thereof.

Third. The proceeds of all lands that have been or may hereafter be granted to this State, where, by the terms and conditions of such grant, the same are not to be otherwise appropriated.

Fourth. The net proceeds of lands and other property and effects that may come to the State by escheat or forfeiture, or from unclaimed dividends, or distributive shares of the estates of deceased persons.

Fifth. All moneys, stocks, bonds, lands, and other property, now belonging to the common school fund.

4. VIII.

All other grants, gifts, and devises that have been, or may hereafter be made to this State, and not otherwise appropriated by the terms of the grant, gift, or devise, the interest arising from all the rents of the unsold school lands, and such other means as the Legislature may provide, shall be exclusively applied to the support and maintenance of common schools in each school district of the State.

5. VIII.

All fines, penalties, and license moneys arising under the general laws of the State shall belong and be paid over to the counties, respectively, where the

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same may be levied or imposed, and all fines, penalties, and license moneys arising under the rules, by-laws, or ordinances of cities, villages, towns, precincts, or other municipal subdivision less than a county shall belong and be paid over to the same, respectively. All such fines, penalties, and license moneys shall be appropriated exclusively to the use and support of common schools in the respective subdivisions where the same may accrue.

6. VIII.

The Legislature shall provide for the free instruction in the common schools of this State of all persons between the ages of five and twenty-one years.

7. VIII.

Provision shall be made by general law for an equitable distribution of the income of the fund set apart for the support of the common schools, among the several school districts of the State, and no appropriation shall be made from said fund to any district for the year in which school is not maintained at least three months.

9. VIII.

All funds belonging to the State for educational purposes, the interest and income whereof only are to be used, shall be deemed trust funds held by the State, and the State shall supply all losses thereof that may in any manner accrue, so that the same shall remain forever inviolate and undiminished; and shall not be invested or loaned except on United States or State securities, or registered county bonds of this State; and such funds, with the interest and income thereof, are hereby solemnly pledged for the purposes for which they are

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granted and set apart, and shall not be transferred to any other fund for other uses.

NEVADA.**2. XI.**

The Legislature shall provide for a uniform system of common schools, by which a school shall be established and maintained in each school district at least six months in every year; and any school district neglecting to establish and maintain such a school, or which shall allow instructions of a sectarian character therein, may be deprived of its proportion of the interest of the public school fund during such neglect or infraction; and the Legislature may pass such laws as will tend to secure a general attendance of the children in each school district upon said public schools.

NEW JERSEY.**6. IV.**

The fund for the support of free schools, and all money, stock and other property which may hereafter be appropriated for that purpose, or received into the treasury under the provision of any law heretofore passed to augment the said fund shall be securely invested and remain a perpetual fund; and the income thereof, except so much as it may be adjudged expedient to apply to an increase of the capital, shall be annually appropriated to the support of public free schools, for the equal benefit of all the people of the State; and it shall not be competent for the Legislature to borrow, appropriate or use the said fund, or any part thereof, for any other purpose, under any pretense whatever. The Legislature shall provide for the maintenance and support of a thorough and efficient

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system of free public schools for the instruction of all the children in this State between the ages of five and eighteen years.

NORTH CAROLINA.**7. I.**

The people have the right to the privilege of education, and it is the duty of the State to guard and maintain that right.

1. IX.

Religion, morality and knowledge being necessary to good government and happiness of mankind, schools and the means of education shall forever be encouraged.

2. IX.

The General Assembly, at its first session under this Constitution, shall provide by taxation, and otherwise, for a general and uniform system of public schools, wherein, tuition shall be free of charge to all the children of the State between the ages of six and twenty-one years. And the children of the white race and the children of the colored race shall be taught in separate public schools; but there shall be no discrimination in favor of, or to the prejudice of either race.

4. IX.

The proceeds of all lands that have been or hereafter may be granted by the United States to this State, and not otherwise appropriated by this State or the United States; also, all moneys, stocks, bonds, and other property, now belonging to any State fund for purposes of education; also the net proceeds of all sales of the swamp lands belonging to the State, and all other grants, gifts or devises, that have been or hereafter may be made to the State, and not otherwise appropriated

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by the State, or by the term of the grant, gift or devise, shall be paid into the State treasury; and, together with so much of the ordinary revenue of the State as may be by law set apart for that purpose, shall be faithfully appropriated for establishing and maintaining in this State a system of free public schools, and for no other uses or purposes whatsoever.

5. IX.

All moneys, stocks, bonds and other property, belonging to a county school fund; also the net proceeds from the sale of estrays; also the clear proceeds of all penalties and forfeitures, and of all fines collected in the several counties for any breach of the penal or military laws of the State; and all moneys which shall be paid by persons as an equivalent for exemption from military duty, shall belong to and remain in the several counties, and shall be faithfully appropriated for establishing and maintaining free public schools in the several counties in this State. Provided, That the amount collected in each county shall be annually reported to the Superintendent of Public Instruction.

NORTH DAKOTA.

147. VIII.

A high degree of intelligence, patriotism, integrity and morality on the part of every voter in a government by the people necessary in order to insure the continuance of that government, and the prosperity and happiness of the people, the Legislative assembly shall make provisions for the establishment and maintenance of a system of public schools which shall be open to all children of the State of North Dakota, and free from

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sectarian control. The legislative requirement shall be irrevocable, without the consent of the United States and the people of North Dakota.

148. VIII.

The Legislative Assembly shall provide at the first session after the adoption of this Constitution, for a uniform system of free public schools throughout the State; beginning with the primary and extending through all grades up to and including the normal and collegiate course.

153. IX.

All proceeds of the public lands that have heretofore been, or may hereafter be granted by the United States for the support of the common schools in this State; all such per centum as may be granted by the United States on the sale of public lands; the proceeds of property that shall fall to the State by escheat; the proceeds of all gifts and donations to State for common schools, not otherwise appropriated by the State for common schools, not otherwise appropriated by the terms of the gift, and all other property otherwise acquired for common schools shall be and remain a perpetual fund for the maintenance of the common schools of the State. It shall be deemed a trust fund, the principal of which shall forever remain inviolate and may be increased, but never diminished. The State shall make good all losses thereof.

154. IX.

The interest and income of this fund, together with the net proceeds of all fines for violation of State laws, and all other sums which may be added thereto by law, shall be faithfully used and applied each year for the bene-

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fit of the common schools of the State, and shall be for this purpose apportioned among and between all the several common school corporations of the State in proportion to the number of children in each of school age, as may be fixed by law, and no part of the fund shall ever be diverted, even temporarily, from this purpose, or used for any other purpose whatever than the maintenance of common schools for the equal benefit of all the people of the State: Provided, however, that if any portion of the interest or income aforesaid be not expended during any year, said portion shall be added to and become part of the school fund.

OHIO.**1. VI.**

The principal of all funds arising from the sale or other disposition of lands or other property granted or intrusted to this State for educational or religious purposes, shall forever be preserved inviolate and undiminished; and the income arising therefrom shall be faithfully applied to the specific objects of the original grants or appropriations.

2. VI.

The General Assembly shall make such provisions by taxation or otherwise; as, with the income arising from the school trust fund, will secure a thorough and efficient system of common schools throughout the State, but no religious or other sect or sects shall ever have any exclusive rights to, or control of, any part of the school funds of this State.

OREGON.**2. VIII.**

The proceeds of all lands which have been or hereafter may be

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granted to this State, for educational purposes (excepting the lands heretofore granted to and (aid) in the establishment of a university), all the moneys and clear proceeds of all property which may accrue to the State by escheat or forfeiture; all moneys which may be paid as exemption from military duty; the proceeds of all gifts, devises and bequests, made by any person to the State for common school purposes; the proceeds of all property granted to the State when the purposes of such grant shall not be stated; all the proceeds of the five hundred thousand acres of land to which the State is entitled by the provisions of an act of Congress, entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights, approved September 4, 1841," and also the five per centum of the net proceeds of the sales of the public lands, to which this State shall become entitled on her admission into the Union (if Congress shall consent to such appropriation of the two grants last mentioned) shall be set apart as a separate and irreducible fund, to be called the common school fund, the interest of which, together with all other revenues derived from the school land mentioned in this section, shall be exclusively applied to the support and maintenance of common schools in each school district, and the purchase of suitable libraries and apparatus therefor.

3. VIII.

The Legislative Assembly shall provide by law for the establishment of a uniform and general system of common schools.

4. VIII.

Provision shall be made by law

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for the distribution of the income of the common school fund among the several counties of the State, in proportion to the number of children resident therein between the ages of four and twenty years.

5. VIII.

The Governor, Secretary of State, and State Treasurer shall constitute a board of commissioners for the sale of school and university lands, and for the investment of the funds arising therefrom, and their powers and duties shall be such as may be prescribed by law: Provided, That no part of the university funds or of the interest arising therefrom, shall be expended until the period of ten years from the adoption of this Constitution, unless the same shall be otherwise disposed of by the consent of Congress for common school purposes.

PENNSYLVANIA.

1. X.

The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public schools, wherein all the children of this Commonwealth above the age of six years may be educated, and shall appropriate at least one million dollars each year for that purpose.

RHODE ISLAND.

1. XII.

The diffusion of knowledge, as well as of virtue, among the people, being essential to the preservation of their rights and liberties, it shall be the duty of the General Assembly to promote public schools, and to adopt all means which they may deem necessary and proper to secure to the people the ad-

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vantages and opportunities of education.

2. XII.

The money which now is or which may hereafter be appropriated by law for the establishment of a permanent fund for the support of public schools, shall be securely invested, and remain a perpetual fund for that purpose.

3. XII.

All donations for the support of public schools, or for other purposes of education, which may be received by the General Assembly, shall be applied according to the terms prescribed by the donors.

SOUTH CAROLINA.

15. IX.

Suitable laws shall be passed by the General Assembly for the safe keeping, transfer and disbursement of the State, county and school funds; and all officers and other persons charged with the same shall keep an accurate entry of each sum received, and of each payment and transfer and shall give such security for the faithful discharge of such duties as the General Assembly may provide. And it shall be the duty of the General Assembly to pass laws making embezzlement of such funds a felony, punishable by fine and imprisonment, proportioned to the amount of deficiency or embezzlement, and the party convicted of such felony shall be disqualified from ever holding any office of honor or emolument in this State: Provided, however, That the General Assembly, by a two-third vote, may remove the disability upon the payment in full of the principal and interest of the sum embezzled.

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3. X.

The General Assembly shall, as soon as practicable after the adoption of this Constitution, provide for a liberal and uniform system of free public schools throughout the State, and shall also make provision for the division of the State into suitable school districts. There shall be kept open at least six months in each year one or more schools in each school district.

5. X.

The General Assembly shall levy, at each regular session after the adoption of this Constitution, an annual tax on all taxable property throughout the State for the support of public schools, which tax shall be collected at the same time and by the same agents as the general State levy, and shall be paid into the treasury of the State. There shall be assessed on all taxable polls in the State an annual tax of one dollar on each poll, the proceeds of which tax shall be applied solely to educational purposes: Provided, That no person shall ever be deprived of the right of suffrage for the non-payment of said tax. No other poll or capitation tax shall be levied in the State, nor shall the amount assessed on each poll exceed the limit given in this section. The school tax shall be distributed among the several school districts of the State, in proportion to the respective number of pupils attending the public schools. No religious sect or sects shall have exclusive right to, or control of, any part of the school funds of the State, nor shall sectarian principles be taught in the public schools.

11. X.

The proceeds of all lands that

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have been or hereafter may be given by the United States to this State for educational purposes, and not otherwise appropriated by this State or the United States, and of all lands or other property given by individuals, or appropriated by the State for like purpose, and of all estates of deceased persons who have died without leaving a will or heir, shall be securely invested and sacredly preserved as a State school fund, and the annual interest and income of said fund, together with such other means as the General Assembly may provide, shall be faithfully appropriated for the purpose of establishing and maintaining free public schools, and for no other purposes or uses whatever..

SOUTH DAKOTA.

1. VII.

The stability of a republican form of government depending on the morality and intelligence of the people, it shall be the duty of the Legislature to establish and maintain a general and uniform system of public school, wherein tuition shall be without charge, and equally open to all, and to adopt all suitable means to secure to the people the advantages and opportunities of education.

2. VIII.

All proceeds of the sale of public lands that have heretofore been or may hereafter be given by the United States for the use of public schools in the State; all such per centum as may be granted by the United States on the sales of public lands; the proceeds of all property that shall fall to the State by escheat; the proceeds of all gifts or donations to the State for public schools or not other-

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wise appropriated by the terms of the gift; and all property otherwise acquired for public schools, shall be and remain a perpetual fund for the maintenance of public schools in the State. It shall be deemed a trust fund held by the State. The principal shall forever remain inviolate; and may be increased, but shall never be diminished, and the State shall make good all losses thereof which may in any manner occur.

8. VIII.

The interest and income of this fund, together with the net proceeds of all fines for violation of State laws and all other sums which may be added thereto by law, shall be faithfully used and applied each year for the benefit of the public schools of the State, and shall be for this purpose apportioned among and between all the several public school corporations of the State in proportion to the number of children in each of school age, as may be fixed by law; and no part of the fund, either principal or interest, shall ever be diverted, even temporarily, from this purpose or used for any other purpose whatever than the maintenance of public schools for the equal benefit of all the people of the State.

7. VIII.

All lands, money or other property donated, granted, or received from the United States or any other source for a university, agricultural college, normal schools or other educational or charitable institution or purpose, and the proceeds of all such lands and other property so received from any source, shall be and remain perpetual funds, the interest and income

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of which, together with the rents of all such lands as may remain unsold, shall be inviolably appropriated and applied to the specific objects of the original grants or gifts. The principal of every such fund may be increased, but shall never be diminished, and the interest and income only shall be used. Every such fund shall be deemed a trust fund held by the State, and the State shall make good all losses therefrom that shall in any manner occur.

11.

The moneys of the permanent school and other educational funds shall be invested only in first mortgages upon good improved farm lands within this State, as hereinafter provided, or in bonds of school corporations within the State, or in the bonds of the United States or of the State of South Dakota. The Legislature shall provide by law the method of determining the amounts of said funds, which shall be invested from time to time in such classes of securities, respectively, taking care to secure continuous investments as far as possible.

All moneys of said funds which may from time to time be designated for the investment in farm mortgages and in the bonds of school corporations, shall for such purpose be divided among the organized counties of the State in proportion to population as nearly as provisions by law to secure continuous investments may permit. The several counties shall hold and manage the same as trust funds, and they shall be and remain responsible and accountable for the principal and interest of all such moneys received by them from the date to (of) receipt un-

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all returned because not loaned; and in case of loss of any money so apportioned to any county, such county shall make the same good out of its common revenue. Counties shall invest said money in bonds of school corporations, or in first mortgages upon good improved farm lands within their limits, respectively; but no farm loan shall exceed five hundred dollars to any one person, nor shall exceed one-half the valuation of the land as assessed for taxation, and the rate of interest shall not be less than six per centum per annum, and shall be such other and higher rate as the Legislature may provide, and shall be payable semi-annually on the first day of January and July: Provided, That wherever there are moneys of said fund in any county amounting to one thousand dollars that cannot be loaned according to the provisions of this section and any law pursuant thereto, the said sum may be returned to the State Treasurer to be intrusted to some other county or counties, or otherwise invested under the provisions of this section.

Each county shall semi-annually, on the first day of January and July, render an account of the condition of the funds intrusted to it to the Auditor of State, and at the same time pay to or account to the State Treasurer for the interest due on all funds intrusted to it.

The Legislature may provide by general law that counties may retain from interest collected in excess of six per centum per annum upon all said funds intrusted to them, not to exceed one per centum per annum. But no county shall be exempted from the obligation to make

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semi-annual payments to the State treasury of interest at the rate provided by law for such loans, except only said one per centum, and in no case shall the interest so to be paid be less than six per centum per annum. The Legislature shall provide by law for the safe investment of the permanent school and other educational funds, and for the prompt collection of interest and income thereof, and to carry out the objects and provisions of this section.

13. VIII.

All losses to the permanent school or other educational funds of this State which shall have been occasioned by the defalcation, negligence, mismanagement or fraud of the agents or officers controlling and managing the same, shall be audited by the proper authorities of the State. The amount so audited shall be a permanent funded debt against the State in favor of the fund sustaining the loss upon which not less than six per centum of annual interest shall be paid. The amount of indebtedness so created shall not be counted as a part of the indebtedness mentioned in article XIII, section 2.

15. VIII.

The Legislature shall make such provisions by general taxation, and by authorizing the school corporations to levy such additional taxes, as with the income from the permanent school fund shall secure a thorough and efficient system of common schools throughout the State.

TENNESSEE.

12. X.

Knowledge, learning and virtue being essential to the preservation of republican institutions, and the diffusion of the oppor-

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tunities and advantages of education throughout the different portions of the State being highly conducive to the promotion of this end, it shall be the duty of the General Assembly, in all future periods of this government, to cherish literature and science. And the fund called the common school fund, and all the lands and proceeds thereof, dividends, stocks and other property of every description whatever, heretofore by law appropriated by the General Assembly of this State for the use of the common schools, and all such as shall hereafter be appropriated, shall remain a perpetual fund, the principal of which shall never be diminished by legislative appropriation; and the interest thereof shall be inviolably appropriated to the support and encouragement of common schools throughout the State, and for the equal benefit of all the people thereof; and no law shall be made authorizing said fund or any part thereof to be diverted to any other use than the support and encouragement of common schools. The State taxes derived hereafter from the polls shall be appropriated to educational purpose, in such manner as the General Assembly shall, from time to time, direct by law. No school established or aided under this section shall allow white and negro children to be received as scholars together in the same school. The above provision shall not prevent the Legislature from carrying into effect any laws that have been passed in favor of the colleges, universities or academies, or from authorizing heirs or distributees to receive and enjoy escheated property under such

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laws as may be passed from time to time.

TEXAS.

1. VII.

A general diffusion of knowledge being essential to the preservation of the liberties and rights of the people, it shall be the duty of the Legislature of the State to establish and make suitable provision for the support and maintenance of an efficient system of public free schools.

2. VII.

All funds, lands and other property heretofore set apart and appropriated for the support of public schools; all the alternate sections of land reserved by the State out of grants heretofore made or that may hereafter be made to railroads, or other corporations, of any nature whatsoever; one-half of the public domain of the State; and all sums of money that may come to the State from the sale of any portion of the same, shall constitute a perpetual public school fund.

4. VII.

The lands herein set apart to the public free school fund shall be sold under such regulations, at such times, and on such terms as may be prescribed by law; and the Legislature shall not have power to grant any relief to purchasers thereof. The Comptroller shall invest the proceeds of such sales, and of those heretofore made, as may be directed by the board of education herein provided for, in the bonds of the United States, the State of Texas, or counties in said State, or in such other securities, and under such restrictions as may be prescribed by law; and the State shall be responsible for all investments.

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5. VII.

The principal of all bonds and other funds, and the principal arising from the sale of the lands hereinbefore set apart to said school fund, shall be the permanent school fund; and all the interest derivable therefrom and the taxes herein authorized and levied shall be the available school fund, to which the Legislature may add not exceeding one per cent annually of the total value of the permanent school fund; such value to be ascertained by the board of education until otherwise provided by law; and the available school fund shall be applied annually to the support of the public free schools. And no law shall ever be enacted appropriating any part of the permanent or available school fund to any other purpose whatever; nor shall the same or any part thereof ever be appropriated or to be used for the support of any sectarian school; and the available school fund herein provided shall be distributed to the several counties according to their scholastic population and applied in such manner as may be provided by law.

36. XVI.

The Legislature shall, at its first session, provide for the payment or funding, as they may deem best, of the amounts found to be justly due to the teachers in the public schools by the State, for service rendered prior to the 1st day of July, 1873, and for the payment by the school districts in the State of amounts justly due teachers of public schools by such district to January, 1876.

VIRGINIA.

3. VIII.

The General Assembly shall pro-

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vide by law, at its first session under this Constitution, a uniform system of public free schools, and for its gradual, equal and full introduction into all the counties of the State by the year 1876, or as much earlier as practicable.

7. VIII.

The General Assembly shall set apart, as a permanent and perpetual literary fund, the present literary funds of the State, the proceeds of all public lands donated by Congress for public school purposes, of all escheated property, of all waste and unappropriated lands, of all property accruing to the State by forfeiture, and all fines collected for offenses committed against the State, and such other sums as the General Assembly may appropriate.

9. VIII.

The General Assembly shall have power to foster all higher grades of schools under its supervision, and to provide for such purpose a permanent educational fund.

10. VIII.

All grants and donations received by the General Assembly for educational purposes shall be applied according to the terms prescribed by the donors.

12. VIII.

The General Assembly shall fix the salaries and prescribe the duties of all school officers, and shall make all needful laws and regulations to carry into effect the public free school system provided for by this article.

1. XII.

The Legislature shall provide, by general law, for a thorough and efficient system of free schools.

4. XII.

The existing permanent and invested school fund, and all

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money accruing to this State from forfeited, delinquent, waste and unappropriated lands, and from lands heretofore sold for taxes and purchased by the State of Virginia, if hereafter redeemed or sold to others than this State; all grants, devises or bequests that may be made to this State for the purpose of education or where the purposes of such grants, devises or bequests are not specified; this State's just share of the literary fund of Virginia, whether paid over or otherwise liquidated; and any sums of money, stocks or property which this State shall have the right to claim from the State of Virginia for educational purposes; the proceeds of the estates of persons who may die without leaving a will or heir, and of all escheated lands; the proceeds of any taxes that may be levied on the revenues of any corporation; all moneys that may be paid as an equivalent for the exemption from military duty; and such sums as may from time to time be appropriated by the Legislature for the purpose, shall be set apart as a separate fund, to be called the "School Fund," and invested under such regulations as may be prescribed by law, in the interest bearing securities of the United States, or of this State, or if such interest bearing securities cannot be obtained, then said "School Fund" shall be invested in such other solvent, interest bearing securities as shall be approved by the Governor, Superintendent of Free Schools, Auditor and Treasurer, who are hereby constituted the "Board of the School Fund," to manage the same under such regulations as may be prescribed by law; and

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the interest thereof shall be annually applied to the support of free schools throughout the State, and to no other purpose whatever. But any portion of said interest remaining unexpended at the close of a fiscal year shall be added to and remain a part of the capital of the "School Fund." Provided That all taxes which shall be received by the State upon delinquent lands, except the taxes due to the State thereon, shall be refunded to the county or district by or for which the same were levied.

WASHINGTON.

1. IX.

It is the paramount duty of the State to make ample provision for the education of all children residing within its borders without distinction or preference on account of race, color caste or sex.

2. IX.

The Legislature shall provide for a general and uniform system of public schools. The public school system shall include common schools, and such high schools, normal schools and technical schools as may hereafter be established. But the entire revenue derived from the common school fund, and the State tax for common schools shall be exclusively applied to the support of the common schools.

3. IX.

The principal of the common school fund shall remain permanent and irreducible. The said fund shall be derived from the following named sources. To wit: Appropriations and donations by the State to this fund donations and bequests by individuals to the State or public for common schools; the pro-

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ceeds of lands and other property which revert to the State by escheat and forfeiture; the proceeds of all property granted to the State, when the purpose of the grant is not specified, or is uncertain; funds accumulated in the treasury of the State for the disbursement of which provision has not been made by law; the proceeds of the sale of timber, stone, minerals or other property from school and State lands, other than those granted for specific purposes; all moneys received from persons appropriating timber, stone, minerals or other property from school and State lands, other than those granted for specific purposes, and all moneys other than rental recovered from persons trespassing on said lands; five per centum of the proceeds of the sale of public lands lying within the State, which shall be sold by the United States subsequent to the admission of the State into the Union, as approved by section 13 of the act of Congress enabling the admission of the State into the Union; the principal of all funds arising from the sale of lands and other property which have been, and hereafter may be, granted to the State for the support of common schools. The Legislature may make further provisions for enlarging said fund. The interest accruing on said fund, together with all rentals and other revenues derived therefrom, and from lands and other property devoted to the common school fund, shall be exclusively applied to the current use of the common schools.

§. IX.

All losses to the permanent common school or any other State educational fund, which shall

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be occasioned by defalcation, mismanagement or fraud of the agents or officers controlling or managing the same, shall be audited by the proper authorities of the State. The amount so audited shall be a permanent funded debt against the State in favor of the particular fund sustaining such loss, upon which not less than six per cent annual interest shall be paid. The amount of liability so created shall not be counted as a part of the indebtedness authorized and limited elsewhere in this Constitution.

1. XVI.

All the public lands granted to the State are held in trust for all the people, and none of such lands nor any estate or interest therein shall ever be disposed of unless the full market value of the estate or interest disposed of, to be ascertained in such manner as may be provided by law, be paid or safely secured to the State; nor shall any lands which the State holds by grant from the United States (in any case in which the manner of disposal and minimum price are so prescribed) be disposed of except in the manner and for at least the price prescribed in the grant thereof, without the consent of the United States.

2. XVI.

None of the lands granted to the State for educational purposes shall be sold otherwise than at public auction to the highest bidder; the value thereof, less the improvements, shall, before any sale, be appraised by a board of appraisers, to be provided by law. The terms of payment also to be prescribed by law, and no sale shall be valid unless the sum bid be equal to the appraised value of

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said land. In estimating the value of such lands for disposal, the value of improvements thereon shall be excluded: Provided, That the sale of all school and university lands heretofore made by the commissioners of any county or the university commissioners, when the purchase-price has been made in good faith, may be confirmed by the Legislature.

3. XVI.

No more than one-fourth of the land granted to the State for educational purposes shall be sold prior to January 1, 1895, and not more than one-half prior to January 1, 1905: Provided, That nothing herein shall be so construed as to prevent the State from selling the timber or stone off of any of the State lands, in such manner and on such terms as may be prescribed by law: And provided further, That no sale of timber lands shall be valid unless the full value of such lands is paid or secured to the State.

4. XVI.

No more than one hundred and sixty (160) acres of any granted lands of the State shall be offered for sale in one parcel, and all lands within the limits of any incorporated city, or within two miles of the boundary of any incorporated city, where the valuation of such lands shall be found by an appraisement to exceed one hundred dollars (\$100) per acre, shall, before the same be sold, be platted into lots and blocks of not more than five acres in a block, and not more than one block shall be offered for sale in one parcel.

5. XVI.

None of the permanent school fund shall ever be loaned to private persons or corporations,

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but it may be invested in national, State, county or municipal bonds.

WEST VIRGINIA.

5. XII.

The Legislature shall provide for the support of free schools, by appropriating thereto the interest of the invested "School Fund," the net proceeds of all forfeitures and fines accruing to this State under the laws thereof; the State capitation tax, and by general taxation of persons and property or otherwise. It shall also provide for raising in each county or district, by the authority of the people thereof, such a proportion of the amount required for the support of free schools therein as shall be prescribed by general laws.

7. XII.

All levies that may be laid by any county or district for the purposes of free schools shall be reported to the clerk of the county court, and shall, under such regulations as may be prescribed by law, be collected by the sheriff, or other collector, who shall make annual settlement with the county court; which settlements shall be made a matter of record by the clerk thereof, in a book to be kept for that purpose.

WISCONSIN.

2. X.

The proceeds of all lands that have been or hereafter may be granted by the United States to this State, for educational purposes (except the lands heretofore granted for the purposes of a university) and all moneys, and the clear proceeds of all property, that may accrue to the State by forfeiture or escheat, and all moneys which

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may be paid as an equivalent for exemption from military duty, and the clear proceeds of all fines collected in the several counties for any breach of the penal laws, and all moneys arising from any grant to the State where the purposes of such grant are not specified, and the five hundred thousand acres of land to which the State is entitled by the provisions of an act of Congress, entitled "An act to appropriate the proceeds of the sale of public lands, and to grant pre-emption rights," approved the fourth day of September, one thousand eight hundred and forty-one, and also the five per centum of the net proceeds of the public lands to which the State shall become entitled on her admission into the Union (if Congress shall consent to such appropriation of the two grants last mentioned), shall be set apart as a separate fund, to be called the school fund, the interest of which, and all other revenues derived from the school lands, shall be exclusively applied to the following objects, to-wit:

1. To the support and maintenance of common schools in each school district, and the purchase of suitable libraries and apparatus therefor.
2. The residue shall be appropriated to the support and maintenance of academies and normal schools, and suitable libraries and apparatus therefor.

5. X.

Provision shall be made by law for the distribution of the income of the school fund among the several towns and cities of the State, for the support of common schools therein, in some just proportion to the number of children and youth residing therein, between the ages of

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four and twenty years, and no appropriation shall be made from the school fund to any city or town for the year in which said city or town shall fail to raise such tax, nor to any school district for the year in which a school shall not be maintained at least three months.

WYOMING.**23. I.**

The right of citizens to opportunities for education should have practical recognition. The Legislature shall suitably encourage means and agencies calculated to advance the sciences and liberal arts.

1. VII.

The Legislature shall provide for the establishment and maintenance of a complete and uniform system of public instruction, embracing free elementary schools of every needed kind and grade, a university with such technical and professional departments as the public good may require and the means of the State allow, and such other institutions as may be necessary.

2. VII.

The following are declared to be perpetual funds for school purposes, of which the annual income only can be appropriated, to-wit: Such per centum as has been or may hereafter be granted by Congress on the sale of lands in this State, all moneys arising from the sale or lease of sections number sixteen and thirty-six in each township in the State, and the land selected or that may be selected in lieu thereof; the proceeds of all lands that have been or may hereafter be granted to this State, where by the terms and conditions of the grant, the same are not to be otherwise appropri-

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ated; the net proceeds of lands and other property and effects that come to the State by escheat or forfeiture, or from unclaimed dividends or distributive shares of the estates of deceased persons; all moneys, stocks, bonds, lands and other property now belonging to the common school fund.

4. VII.

All moneys, stocks, bonds, lands and other property belonging to a county school fund, except such moneys and property as may be provided by law for current use in aid of public schools, shall belong to and be securely invested and securely preserved in the several counties as a county public school fund, the income of which shall be appropriated exclusively to the use and support of free public schools in the several counties of the State.

5. VII.

All fines and penalties under the general laws of the State shall belong to the public school fund of the respective counties and be paid over to the custodians of such funds for the current support of the public schools therein.

6. VII.

All funds belonging to the State for public school purposes, the interest and income of which only are to be used, shall be deemed trust funds in the care of the State, which shall keep them for the exclusive benefit of the public schools, and shall make good any losses that may in any manner occur, so that the same shall remain forever inviolate and undiminished. None of such funds shall ever be invested or loaned except on

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the bonds issued by school districts, or registered county bonds of the State, or State securities of this State, or of the United States.

7. VII.

The income arising from the funds mentioned in the preceding section, together with all the rents of the unsold school lands and such other means as the Legislature may provide, shall be exclusively applied to the support of free schools in every county in the State.

9. VII.

The Legislature shall make such further provision by taxation or otherwise, as with the income arising from the general school fund will create and maintain a thorough and efficient system of public schools, adequate to the proper instruction of all the youth of the State, between the ages of six and twenty-one years, free of charge; and in view of such provision so made, the Legislature shall require that every child of sufficient physical and mental ability shall attend a public school during the period between six and eighteen years for a time equivalent to three years, unless educated by other means.

6. XVIII.

If any portion of the interest or income of the perpetual school fund be not expended during the year, said portion shall be added to and become a part of the said school fund.

5.

The Legislature shall make laws for the establishment and maintenance of systems of public schools which shall be open to all the children of the State and free from sectarian control.

PROPERTY, CREDIT OR PUBLIC MONEY NOT TO BE USED.

1 Sec. 4. Neither the State nor any subdivision thereof,
 2 shall use its property or credit or any public money, or author-
 3 ize or permit either to be used, directly or indirectly, in aid or
 4 maintenance, other than for examination or inspection, of any
 5 school or institution of learning wholly or in part under the
 6 control or direction of any religious denomination, or in which
 7 any denominational tenet or doctrine is taught.

Sec. Art.**CALIFORNIA.****8. IX.**

No public money shall ever be appropriated for the support of any sectarian or denominational school, or any school not under the exclusive control of the officers of the public schools; nor shall any sectarian or denominational doctrine be taught, or instruction thereon be permitted, directly or indirectly, in any of the common schools of this State.

COLORADO.**34. V.**

No appropriation shall be made for charitable, industrial, educational or benevolent purposes, to any person, corporation or community not under the absolute control of the State, nor to to any denominational or sectarian institution or association.

ILLINOIS.**8. VIII.**

Neither the General Assembly nor any county, city, town, township, school district or other public corporation shall ever make any appropriation to pay for any public fund whatever, anything in aid of any church or sectarian purpose, or to help support or sustain any school,

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academy, seminary, college, university or other literary or scientific institution, controlled by any church or sectarian denomination whatever; nor shall any grant or donation of land, money or other personal property ever be made by the State or any such public corporation to any church or for any sectarian purpose.

MISSOURI.**11. XI.**

Neither the General Assembly, nor any county, city, town, township, school district or other municipal corporation, shall ever make an appropriation or pay from any public fund whatever anything in aid of any religious creed, church or sectarian purpose; or to help to support or sustain any private or public school, academy, seminary, college, university or other institution of learning, controlled by any religious creed, church or sectarian denomination whatever; nor shall any grant or donation of personal property or real estate ever be made by the State, or any county, city, town or other municipal corporation, for any

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religious creed, church or sectarian purpose whatever.

MONTANA.**35. V.**

No appropriation shall be made for charitable, industrial, educational or benevolent purposes to any person, corporation or community not under the absolute control of the State, nor to any denominational or sectarian institution or association.

8. XI.

Neither the Legislative Assembly, nor any county, city, town, or school district, or other public corporations shall ever make directly or indirectly, any appropriation, or pay from any public funds or moneys whatever, or make any grants of lands or other property in aid of any church, or for any sectarian purpose, or to aid in the support of any school, academy, seminary, college, university, or other literary, or scientific institution, controlled in whole or in part by any church, sect or denomination whatever.

NEW HAMPSHIRE.**83.**

Knowledge of learning generally diffused through a community being essential to the preservation of a free government, and spreading the opportunities and advantages of education through the various parts of the country being highly conducive to promote this end, it shall be the duty of the legislators and magistrates, in all future periods of this government, to cherish the interest of literature and the sciences, and all seminaries and public schools; to encourage private and public institutions, rewards and immunities for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and natural his-

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tory of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and economy, honesty and punctuality, sincerity, sobriety, and all social affections and generous sentiments, among the people. Provided, nevertheless, That no money raised by taxation shall ever be granted or applied for the use of the schools or institutions of any religious sect or denomination.

NEW JERSEY.**20. I.**

No donation of land or appropriation of money shall be made by the State or any municipal corporation to or for the use of any society, association or corporation whatever.

PENNSYLVANIA.**2. X.**

No money raised for the support of the public schools of the Commonwealth shall be appropriated to or used for the support of any sectarian school.

TEXAS.**7. I.**

No money shall be appropriated or drawn from the treasury for the benefit of any sect or religious society, theological or religious seminary; nor shall property belonging to the State be appropriated for any such purposes.

WISCONSIN.**3. X.**

The Legislature shall provide by law for the establishment of district schools, which shall be as nearly uniform as practicable, and such schools shall be free and without charge for tuition to all children between the ages of four and twenty years, and no sectarian institution shall be allowed therein.

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GENERAL PROVISIONS.

Certain Taxes to be Used for the Support of Common Schools.

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ALABAMA.**1. XI.**

All taxes levied on property in this State, shall be assessed in exact proportion to the value of such property: Provided, however, the General Assembly may levy a poll tax not to exceed one dollar and fifty cents on each poll, which shall be applied exclusively in aid of the public school fund, in the county so paying the same.

4. XIII.

The General Assembly shall also provide for the levying and collection of an annual poll tax, not to exceed one dollar and fifty cents on each poll, which shall be applied to the support of the public schools in the counties in which it is levied and collected.

ARKANSAS.**3. IV.**

The General Assembly shall provide by general laws for the support of common schools by taxes, which shall never exceed in any one year two mills on the dollar on the taxable property of the State, and by the annual per capita tax of one dollar, to be assessed on every male inhabitant of this State over the age of twenty-one years: Provided, The General Assembly may by general law authorize school districts to levy by a vote of the qualified electors of such district a tax not to exceed five mills on the dollar in any one year for school purposes: Provided, further, That no such tax shall be ap-

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propriated to any other purpose nor to any other district than that for which it was levied.

FLORIDA.**6. XXI.**

A special tax of one mill on the dollar of all taxable property in the State, in addition to the other means provided, shall be levied and apportioned annually for the support and maintenance of public free schools.

7. XII.

Provision shall be made by law for the distribution of the interest of the State School Fund and the special tax among the several counties of the State in proportion to the number of children residing therein between the ages of six and twenty-one years.

8. XII.

Each county shall be required to assess and collect annually for the support of public free schools therein, a tax of not less than three mills nor more than five mills on the dollar of all taxable property in the same.

GEORGIA.**3. VIII.**

Par. I. The poll tax, any educational fund now belonging to the State (except the endowment of, and debt due to, the University of Georgia), a special tax on shows and exhibitions, and of the sale spirituous and malt liquors, which the General Assembly is hereby authorized to assess, and the proceeds of any commuta-

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tion tax for military service, and all taxes that may be assessed on such domestic animals as, from their nature and habits, are destructive to other property, are hereby set apart and devoted for the support of common schools.

4. VIII.

Par. I. Authority may be granted to counties, upon the recommendation of two grand juries, and to municipal corporation, upon the recommendation of the corporate authorities, to establish and maintain public schools in their respective limits, by local taxation; but no such local laws shall take effect until the same shall have been submitted to a vote of the qualified voters in each county or municipal corporation, and approved by a two-thirds vote of persons qualified to vote at such election; and the General Assembly may prescribe who shall vote on such question.

LOUISIANA.

Art. 231. The General Assembly shall also establish in the city of New Orleans a university for the education of persons of color, provide for its proper government, and shall make an annual appropriation of not less than five thousand dollars nor more than ten thousand dollars for its maintenance and support.

MICHIGAN.

5. XIII.

A school shall be maintained in each school district at least three months in each year. Any school district neglecting to maintain such school shall be deprived for the ensuing year of its proportion of the income of the primary school fund, and of all funds arising from taxes for the support of schools.

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MISSISSIPPI.

206. VIII.

There shall be a common school fund, which shall consist of the poll tax (to be retained in the counties where the same is collected) and an additional sum from the general fund in the State treasury, which together shall be sufficient to maintain the common schools for the term of four months in each scholastic year. But any county or separate school district may levy an additional tax to maintain its schools for a longer time than the term of four months. The common school fund shall be distributed among the several counties and separate school districts, in proportion to the number of educable children in each, to be determined from data collected through the office of the State Superintendent of Education, in the manner to be prescribed by law.

243. XII.

A uniform poll-tax of two dollars, to be used in aid of the common schools, and for no other purpose, is hereby imposed on every male inhabitant of this State between the ages of twenty-one and sixty years, except persons who are deaf and dumb or blind, or who are maimed by loss of hand or foot; said tax to be a lien only upon taxable property. The board of supervisors of any county may, for the purpose of aiding common schools in that county, increase the poll-tax in said county, but in no case shall the entire poll-tax exceed in any one year three dollars on each poll. No criminal proceedings shall be allowed to enforce the collection of the poll-tax.

MONTANA.

6. XI.

It shall be the duty of the Legis-

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lative Assembly to provide by taxation, or otherwise, sufficient means, in connection with the amount received from the general school fund, to maintain a public, free, common school in each organized district in the State, for at least three months in each year.

NEVADA.

6. I.

The Legislature shall provide a special tax, which shall not exceed two mills on the dollar of all taxable property in the State, in addition to the other means provided for the support and maintenance of said university and common schools.

NORTH CAROLINA.

2. V.

The proceeds of the State and county capitation tax shall be applied to the purposes of education and the support of the poor, but in no one year shall more than twenty-five per cent thereof be appropriated to the latter purpose.

TEXAS.

3. VII.

One-fourth of the revenue derived from the State occupation taxes, and a poll-tax of one dollar on every male inhabitant of this State between the ages of twenty-one and sixty years, shall be set apart annually for the benefit of the public free schools, and, in addition thereto, there shall be levied and collected an annual ad valorem State tax of such an amount, not to exceed twenty cents on the one hundred dollars valuation, as, with the available school fund arising from all other sources, will be sufficient to maintain and support the public free schools of this State for a period of not less than six

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months in each year; and the Legislature may also provide for the formation of school districts within all or any of the counties of this State, by general or special law, without the local notice required in other cases of special legislation, and may authorize an additional annual ad valorem tax to be levied and collected within such school districts for the further maintenance of public free schools and the erection of school buildings therein: Provided, That two-thirds of the qualified property tax-paying voters of the district, voting at an election to be held for that purpose, shall vote such tax, not to exceed in any one year twenty cents on the one hundred dollars valuation of the property subject to taxation in such district, but the limitation upon the amount of district tax herein authorized shall not apply to incorporated cities or towns constituting separate and independent school districts.

14. VII.

The Legislature shall also, when deemed practicable, establish and provide for the maintenance of a college or branch university for the instruction of the colored youths of the State, to be located by a vote of the people: Provided, That no tax shall be levied and no money appropriated out of the general revenue, either for this purpose or for the establishment and erection of the buildings of the University of Texas.

10. XI.

The Legislature may constitute any city or town a separate and independent school district. And when the citizens of any city or town have a charter, authorizing the city authorities

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to levy and collect a tax for the support and maintenance of a public institution of learning, such tax may hereafter be levied and collected, if, at any election held for that purpose, two-thirds of the tax-payers of such city or town shall vote for such tax.

VIRGINIA.

8. VIII.

The General Assembly shall apply the annual interest on the literary fund, the capitation tax provided for by this Constitution for public free school purposes, and an annual tax upon the property of the State of not less than one mill nor more than five mills on the dollar, for the equal benefit of all the people of the State, the number of children between the ages of five and twenty-one years in each public free school district being the basis of such division. Provision shall be made to supply children attending the public free schools with necessary text-books in cases where the parent or guardian is unable, by reason of poverty, to furnish them. Each county and public free school district may raise additional sums by a tax on property for the support of the public free schools. All un-

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expended sums of any one year in any public free school district shall go into the general school fund for redivision next year: Provided, That any tax authorized by this section to be raised by counties or school districts shall not exceed five mills on a dollar in any one year, and shall not be subject to redivision, as hereinbefore provided in this section.

5. X.

The General Assembly may levy a tax, not exceeding one dollar per annum, on ever male citizen who has attained the age of twenty-one years, which shall be applied exclusively in aid of public free schools; and counties and corporations shall have power to impose a capitation tax, not exceeding fifty cents per annum, for all purposes.

WISCONSIN.

4. X.

Each town and city shall be required to raise by tax annually, for the support of common schools therein, a sum not less than one-half the amount received by such town or city, respectively, for school purposes from the income of the school fund.

*Board of Regents.***COLORADO.**

13. IX.

The Regents of the University shall, at their first meeting, or as soon thereafter as practicable, elect a president of the university, who shall hold his office until removed by the Board of Regents for cause; he shall be ex officio a member of the board, with the privilege of speaking, but not voting, except in case of a tie, he shall

preside at the meetings of the board, and be the principal executive officer of the university, and a member of the faculty thereof.

14. IX.

The Board of Regents shall have the general superintendence of the university, and the exclusive control and direction of all funds of, and appropriations to, the university.

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MICHIGAN.**6. XIII.**

There shall be elected in the year eighteen hundred and sixty-three, at the time of the election of a justice of the Supreme Court, eight Regents of the University, two of whom shall hold their office for two years, two for four years, two for six years and two for eight years. They shall enter upon the duties of their office on the first of January next succeeding their election. At every regular election of a justice of the Supreme Court thereafter there shall be elected two Regents, whose term of office shall be eight years. When a vacancy shall occur in the office of Regent, it shall be filled by appointment of the Governor. The Regents thus elected shall constitute the board of Regents of the University of Michigan.

7. XIII.

The Regents of the University and their successors in office shall continue to constitute the body corporate known by the name and title of "The Regents of the University of Michigan."

8. XIII.

The Regents of the University shall, at their first annual meeting, or as soon thereafter as may be, elect a President of the University, who shall be ex officio a member of their board, with the privilege of speaking, but not of voting. He shall preside at the meetings of the Regents, and be the principal executive officer of the university. The Board of Regents shall have the general supervision of the university, and the direction and control of all ex-

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penditures from the university interest fund.

NEVADA.**7. XI.**

The Governor, Secretary of State, and Superintendent of Public Instruction shall, for the first four years, and until their successors are elected and qualified, constitute a Board of Regents, to control and manage the affairs of the University and the funds of the same, under such regulations as may be provided by law. But the Legislature shall, at its regular session next preceding the expiration of the term of office of said Board of Regents, provide for the election of a new Board of Regents and define their duties.

SOUTH DAKOTA.**4. XIV.**

The Regents shall appoint a board of five members for each institution under their control, to be designated the board of trustees. They shall hold office for five years, one member retiring annually. The trustees of each institution shall appoint the faculty of the same, and shall provide for the current management of the institution, but all appointments and removals must have the approval of the Regents to be valid. The trustees of the several institutions shall receive no compensation for their services, but they shall be reimbursed for all expenses incurred in the discharge of their duties, upon presenting an itemized account of the same to the proper officer. Each board of trustees at its first meeting shall decide by lot the order in which its members shall retire from office.

General Provisions.

Separate Schools for Black and White Children.

Sec. Art.

ALABAMA.**11. XIII.**

The provisions of this article and of any act of the General Assembly passed in pursuance thereof to establish, organize or maintain a system of public schools throughout the State, shall apply to Mobile county only so far as to authorize and require the authorities designated by law to draw the portion of the funds to which said county shall be entitled for school purposes, and to make reports to the Superintendent of Education as may be prescribed by law. And all special incomes and powers of taxation, as now authorized by law for the benefit of public schools in said county, shall remain undisturbed until otherwise provided by the General Assembly: Provided, That separate schools for each race shall always be maintained by said school authorities.

FLORIDA.**12. II.**

White and colored children shall not be taught in the same school, but impartial provision shall be made for both.

CALIFORNIA.**7. IX.**

The Governor, Superintendent of Public Instruction and the principals of the State Normal schools shall constitute the State board of education, and shall compile, or cause to be compiled, and adopt a uniform series of text-books for use in the common schools throughout the State. The State board may cause such text-books, when adopted, to be printed and

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KENTUCKY.**137.**

In distributing the school fund no distinction shall be made on account of race or color, and separate schools for white and colored children shall be maintained.

MISSOURI.**3. XI.**

Separate free public schools shall be established for the education of children of African descent.

TEXAS.**7. VII.**

Separate schools shall be provided for the white and colored children, and impartial provision shall be made for both.

WEST VIRGINIA.**8. XII.**

White and colored persons shall not be taught in the same school.

WYOMING.**10. VII.**

In none of the public schools so established and maintained shall distinction or discrimination be made on account of sex, race or color.

Board of Education.

published by the Superintendent of State Printing, at the State printing office, and when so printed and published, to be distributed and sold at the cost price of printing, publishing and distributing the same. The text-books so adopted shall continue in use not less than four years; and said State board shall perform such other duties as may be prescribed by law. The Legislature shall provide for a board of education in

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each county of the State. The county superintendents and the county boards of education shall have control of the examination of teachers and the granting of teachers' certificates within their respective jurisdiction. (Amendment adopted November 4, 1884.)

COLORADO.

1. IX.

The general supervision of the public schools of the State shall be vested in a board of education, whose powers and duties shall be prescribed by law; the Superintendent of Public Instruction, the Secretary of State and Attorney-General shall constitute the board, of which the Superintendent of Public Instruction shall be president.

15. IX.

The General Assembly shall, by law, provide for organization of school districts of convenient size, in each of which shall be established a board of education, to consist of three or more directors, to be elected by the qualified electors of the district. Said directors shall have control of instruction in the public schools of their respective districts.

2. IX.

IDAHO.

The general supervision of the public schools of the State shall be vested in a board of education, whose powers and duties shall be prescribed by law; the Superintendent of Public Instruction, the Secretary of State and Attorney-General shall constitute the board, of which the Superintendent of Public Instruction shall be president.

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IOWA.

1. IX.

The educational interest of the State, including common schools and other educational institutions, shall be under the management of a board of education, which shall consist of the Lieutenant-Governor, who shall be the presiding officer of the board, and have the casting vote in case of a tie, and one member to be elected from each judicial district in the State.

2. IX.

No person shall be eligible as a member of said board who shall not have attained the age of twenty-five years, and shall have been one year a citizen of the State.

3. IX.

One member of said board shall be chosen by the qualified electors of each district, and shall hold the office for the term of four years, and until his successor is elected and qualified. After the first election under this Constitution, the board shall be divided, as nearly as practicable, into two equal classes, and the seats of the first class shall be vacated after the expiration of two years; and one-half of the board shall be chosen every two years thereafter.

4. IX.

The first session of the board of education shall be held at the seat of government on the first Monday of December after their election, after which the General Assembly may fix the time and place of meeting.

5. IX.

The session of the board shall be limited to twenty days, and but one session shall be held in any one year, except upon extraordinary occasions, when, upon the

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recommendation of two-thirds of the board, the Governor may order a special session.

6. IX.

The board of education shall appoint a secretary, who shall be the executive officer of the board, and perform such duties as may be imposed upon him by the board and the laws of the State. They shall keep a journal of their proceedings, which shall be published and distributed in the same manner as the journals of the General Assembly.

7. IX.

All rules and regulations made by the board shall be published and distributed to the several counties, townships and school districts, as may be provided for by the board, and when so made, published and distributed they shall have the force and effect of law.

8. IX.

The board of education shall have full power and authority to legislate and make all needful rules and regulations in relation to common schools and other educational institutions that are instituted to receive aid from the school or university fund of this State; but all acts, rules and regulations of said board may be altered, amended or repealed by the General Assembly; and when so altered, amended or repealed, they shall not be re-enacted by the board of education.

9. IX.

The Governor of the State shall be ex officio a member of said board.

10. IX.

The board shall have no power to levy taxes or make appropriations of money. Their contin-

Sec. Art.

gent expenses shall be provided for by the General Assembly.

12. IX.

The board of education shall provide for the education of all the youths of the State, through a system of common schools, and such schools shall be organized and kept in each school district at least three months in each year. Any district failing, for two consecutive years, to organize and keep up a school, as aforesaid, may be deprived of their portion of the school fund.

13. IX.

The members of the board of education shall each receive the same per diem during the time of their session, and mileage going to and returning therefrom, as members of the General Assembly.

14. IX.

A majority of the board shall constitute a quorum for the transaction of business; but no rule, regulation or law for the government of common schools or other educational institutions shall pass without the concurrence of a majority of all the members of the board, which shall be expressed by the yeas and nays on the final passage. The style of all acts of the board shall be, "Be it enacted by the Board of Education of the State of Iowa."

15. IX.

At any time after the year one thousand eight hundred and sixty-three the General Assembly shall have power to abolish or reorganize said board of education, and provide for the educational interest of the State in any other manner that to them shall seem best and proper.

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KENTUCKY.**184.**

The bond of the Commonwealth issued in favor of the board of education for the sum of one million three hundred and twenty-seven thousand dollars shall constitute one bond of the Commonwealth in favor of the board of education, and this bond and the seventy-three thousand five hundred dollars of the stock in the Bank of Kentucky, held by the board of education, and its proceeds, shall be held inviolate for the purpose of sustaining the system of common schools. The interest and dividends of said fund, together with any sum which may be produced by taxation or otherwise for purposes of common school education, shall be appropriated to the common schools, and to no other purpose. No sum shall be raised or collected for education other than in common schools until the question of taxation is submitted to the legal voters, and the majority of the votes cast at said election shall be in favor of such taxation: Provided, the tax now imposed for educational purposes, and for the endowment and maintenance of the Agricultural and Mechanical College, shall remain until changed by law.

MICHIGAN.**9. XIII.**

There shall be elected at the general election in the year one thousand eight hundred and fifty-two, three members of a State Board of Education, one for two years, one for four years and one for six years; and at each succeeding biennial election there shall be elected one member of such board, who shall hold his office for six

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years. The Superintendent of Public Instruction shall be ex officio a member and secretary of such board. The board shall have the general supervision of the State Normal School, and their duties shall be prescribed by law.

MISSOURI.**4. XI.**

The supervision of instruction in the public schools shall be vested in a "Board of Education," whose powers and duties shall be prescribed by law. The Superintendent of Public Schools shall be president of the board. The Governor, Secretary of State and Attorney-General shall be ex officio members, and, with the superintendent, compose said Board of Education.

MONTANA.**11. XI.**

The general control and supervision of the State University and the various other State educational institutions shall be vested in a State Board of Education, whose powers and duties shall be prescribed and regulated by law. The said board shall consist of eleven members, the Governor, State Superintendent of Public Instruction, and Attorney-General, being members ex officio, the other eight members thereof shall be appointed by the Governor, subject to the confirmation of the Senate, under the regulations and restrictions to be provided by law.

NORTH CAROLINA.**8. IX.**

The Governor, Lieutenant-Governor, Secretary of State, Treasurer, Auditor, Superintendent of Public Instruction and Attorney-General, shall constitute a State board of education.

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10. IX.

The board of education shall succeed to all the powers and trusts of the president and directors of the literary fund of North Carolina and shall have full power to legislate and make all needful rules and regulations in relation to free public schools and the educational fund of the State; but all acts, rules and regulations of said board may be altered, amended or repealed by the General Assembly, and when so altered, amended or repealed, they shall not be re-enacted by the board.

*Superintendent of Schools and Public Instruction.***ALABAMA.**

7. XIII.

The supervision of the public schools shall be vested in a Superintendent of Education, whose powers, duties, term of office and compensation shall be fixed by law. The Superintendent of Education shall be elected by the qualified voters of the State in such manner and at such time as shall be provided by law.

CALIFORNIA.

2. IX.

A Superintendent of Public Instruction shall, at each gubernatorial election after the adoption of this Constitution, be elected by the qualified electors of the State, he shall receive a salary equal to that of the Secretary of State, and shall enter upon the duties of his office on the first Monday after the first day of January next succeeding his election.

3. IX.

A Superintendent of Schools for each county shall be elected by the qualified voters thereof at

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TEXAS.

8. VII.

The Governor, Comptroller and Secretary of State shall constitute a board of education, who shall distribute said funds to the several counties, and perform such other duties concerning public schools as may be prescribed by law.

WISCONSIN.

6. VIII.

The Board of Education shall provide for uniformity of text-books and the furnishing of school-houses with such apparatus and library as may be necessary under such regulations as may be provided by law.

each gubernatorial election: Provided, That the Legislature may authorize two or more counties to unite and elect one Superintendent for the counties so uniting.

COLORADO.

6. IX.

There shall be a county superintendent of schools in each county, whose term of office shall be two years, and whose duties, qualifications and compensation shall be prescribed by law. He shall be ex officio a commissioner of lands within his county, and shall discharge the duties of said office under the direction of the State Board of Land Commissioners, as directed by law.

FLORIDA.

25. IV.

The Superintendent of Public Instruction shall have supervision of all matters pertaining to public instruction; the supervision of State buildings devoted to educational purposes, and perform such other duties as

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the Legislature may provide by law.

2. XII.

There shall be a Superintendent of Public Instruction whose duties shall be prescribed by law, and whose term of office shall be four years, and until the election and qualification of his successor.

GEORGIA.

2. VIII.

Par. I. There shall be a State School Commissioner, appointed by the Governor, and confirmed by the Senate, whose term of office shall be two years, and until his successor is appointed and qualified. His office shall be at the seat of government, and he shall be paid a salary not to exceed two thousand dollars per annum. The General Assembly may substitute for the State School Commissioner such officer, or officers, as may be deemed necessary to perfect the system of public education.

ILLINOIS.

5.

There may be a county superintendent of schools in each county, whose qualifications, powers, duties, compensation and time and manner of election and term of office shall be prescribed by law.

INDIANA.

8. VIII.

The General Assembly shall provide for the election, by the voters of the State, of a State Superintendent of Public Instruction, who shall hold his office for two years, and whose duties and compensation shall be prescribed by law.

KANSAS.

1. VI.

The State Superintendent of Pub-

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lic Instruction shall have the general supervision of the common school funds and educational interests of the State, and perform such other duties as may be prescribed by law. A Superintendent of Public Instruction shall be elected in each county whose term of office shall be two years, and whose duties and compensation shall be prescribed by law.

9. VI.

The State Superintendent of Public Instruction, Secretary of State and Attorney-General shall constitute a board of commissioners, for the management and investment of the school funds. Any two of said commissioners shall be a quorum.

LOUISIANA.

225.

There shall be elected by the qualified electors of the State a Superintendent of Public Education, who shall hold his office for the term of four years, and until his successor is qualified. His duties shall be prescribed by law, and he shall receive an annual salary of two thousand dollars. The aggregate annual expenses of his office, including his salary, shall not exceed the sum of three thousand dollars. The General Assembly shall provide for the appointment of parish boards of public education for the different parishes.

The parish board may appoint a parish superintendent of public schools in their respective parishes, who shall be ex officio secretary of the parish board, and whose salary for his double functions shall not exceed two hundred dollars annually, except that in the parish of Orleans the salary of the parish superintendent shall be fixed by the General Assembly, to be

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paid out of the public school fund accruing to each parish respectively.

MICHIGAN.

1. XIII.

The Superintendent of Public Instruction shall have the general supervision of public instruction, and his duties shall be prescribed by law.

MISSISSIPPI.

202. XIII.

There shall be a Superintendent of Public Education elected at the same time and in the same manner as the Governor, who shall have the qualifications required of the Secretary of State, and hold his office for four years and until his successor shall be elected and qualified, who shall have the general supervision of the common schools, and of the educational interests of the State, and who shall perform such other duties and receive such compensation as shall be prescribed by law.

NEVADA.

1. XI.

The Legislature shall encourage, by all suitable means, the promotion of intellectual, literary, scientific, mining, mechanical, agricultural and moral improvements; and also provide for the election by the people, at the general election, of a Superintendent of Public Instruction, whose term of office shall be two years from the first Monday of January, A. D. eighteen hundred and sixty-five, and until the election and qualification of his successor, and whose duties shall be prescribed by law.

OREGON.

1. VIII.

The Governor shall be Superintendent of Public Instruction,

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and his powers and duties in that capacity shall be such as may be prescribed by law; but after the term of five years from the adoption of this Constitution, it shall be competent for the Legislative Assembly to provide by law for the election of a superintendent, to provide for his compensation, and prescribe his powers and duties.

PENNSYLVANIA.

20. IV.

The Superintendent of Public Instruction shall exercise all the powers and perform all the duties of the Superintendent of Common Schools, subject to such changes as shall be made by law.

SOUTH CAROLINA.

1. X.

The supervision of public instruction shall be vested in a State Superintendent of Education who shall be elected by the qualified electors of the State, in such manner and at such time as the other State officers are elected; his powers, duties, term of office and compensation shall be defined by the General Assembly.

VIRGINIA.

1. VIII.

The General Assembly shall elect, in joint ballot, within thirty days after its organization under this Constitution, and ever fourth year thereafter, a Superintendent of Public Instruction. He shall have the general supervision of the public free school interest of the State, and shall report to the General Assembly, for its consideration, within thirty days after his election, a plan for a uniform system of free public schools.

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2. XII.

The State Superintendent of Free Schools shall have a general supervision of free schools, and perform such other duties in relation thereto as may be prescribed by law. If in the performance of any such duty imposed upon him by the Legislature he shall incur any expenses he shall be reimbursed therefor: Provided, The amount does not exceed five hundred dollars in any one year.

WASHINGTON.

22. III.

The Superintendent of Public Instruction shall have supervision over all matters pertaining to public schools, and shall perform such specific duties as may be prescribed by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by law,

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but shall never exceed four thousand dollars per annum.

WISCONSIN.

1. X.

The supervision of public instruction shall be vested in a State Superintendent, and such other officers as the Legislature shall direct. The State Superintendent shall be chosen by the qualified electors of the State, in such manner as the Legislature shall provide; his powers, duties and compensation shall be prescribed by law: Provided, That his compensation shall not exceed the sum of twelve hundred dollars annually.

WYOMING.

14. VIII.

The general supervision of the public schools shall be entrusted to the State Superintendent of Public Instruction, whose powers and duties shall be prescribed by law.

State University.

ALABAMA.

9. XIII.

The State University and the Agricultural and Mechanical College shall be under the management and control of a Board of Trustees. The board for the university shall consist of two members from the congressional district in which the university is located, and one from each of the other congressional districts in the State. The board for the Agricultural and Mechanical College shall consist of two members from the congressional district in which the college is located, and one from each of the other congressional districts in the State. Said trustees shall be appointed by the Governor, by and with the advice and consent of

the Senate, and shall hold office for a term of six years, and until their successors shall be appointed and qualified. After the first appointment each board shall be divided into three classes, as nearly equal as may be. The seats of the first class shall be vacated at the expiration of two years, and those of the second class in four years, and those of the third class at the end of six years from the date of appointment, so that one-third may be chosen biennially. No trustee shall receive any pay or emolument other than his actual expenses incurred in the discharge of his duties as such. The Governor shall be ex officio president and the Superintendent of education ex officio a.

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member of each of said boards of trustees.

10. XIII.

The General Assembly shall have no power to change the location of the State University or the Agricultural and Mechanical College as now established by law, except upon a vote of two-thirds of the General Assembly, taken by yeas and nays and entered upon the journals.

CALIFORNIA.**9. IX.**

The University of California shall constitute a public trust, and its organization and government shall be perpetually continued in the form and character prescribed by the organic act creating the same, passed March twenty-third, eighteen hundred and sixty-eight (and the several acts amendatory thereof), subject only to such legislative control as may be necessary to insure compliance with the terms of its endowments and the proper investment and security of its funds. It shall be entirely independent of all political or sectarian influence, and kept free therefrom in the appointment of its regents, and in the administration of its affairs; provided, that all the moneys derived from the sale of the public lands donated to this State by act of Congress, approved July second, eighteen hundred and sixty-two (and the several acts amendatory thereof), shall be invested as provided by said acts of Congress, and the interest of said moneys shall be inviolably appropriated to the endowment, support and maintenance of at least one college of agriculture, where the leading objects shall be (without

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excluding other scientific and classical studies, and including military tactics) to teach such branches of learning as are related to scientific and practical agriculture and the mechanic arts, in accordance with the requirements and conditions of said acts of Congress; and the Legislature shall provide that if, through neglect, misappropriation, or any other contingency, any portion of the funds so set apart shall be diminished or lost, the State shall replace such portion so lost or misappropriated, so that the principal thereof shall remain forever undiminished. No person shall be debarred admission to any of the collegiate departments of the university on account of sex.

COLORADO.**12. IX.**

There shall be elected by the qualified electors of the State, at the first general election under this Constitution, six Regents of the University, who shall immediately after their election be so classified, by lot, that two shall hold their office for the term of two years, two for four years and two for six years; and every two years after the first election there shall be elected two Regents of the University, whose terms of office shall be six years. The regents thus elected, and their successors, shall constitute a body corporate, to be known by the name and style of "The Regents of the University of Colorado."

CONNECTICUT.**1. VIII.**

The charter of Yale College, as modified by agreement with the corporation thereof, in pursuance of an act of the Gen-

General Provisions.

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eral Assembly, passed in May, 1792, is hereby confirmed.

GEORGIA.**6. VIII.**

Par. I. The trustees of the University of Georgia may accept bequests, donations and grants of land, or other property, for the use of said university. In addition to the payment of the annual interest on the debt due by the State to the university, the General Assembly may, from time to time, make such donations thereto as the condition of the treasury will authorize. And the General Assembly may also, from time to time, make such appropriations of money as the condition of the treasury will authorize to any college or university (not exceeding one in number) now established, or hereafter to be established, in this State for the education of persons of color.

IDAHO.**10. IX.**

The location of the university of Idaho, as established by existing laws, is hereby confirmed. All the rights, immunities, franchises and endowments heretofore granted thereto by the Territory of Idaho are hereby perpetuated unto the said university. The regents shall have the general supervision of the university, and the control and direction of all the funds of, and appropriations to, the university, under such regulations as may be prescribed by law. No university lands shall be sold for less than ten dollars per acre, and in subdivisions not to exceed one hundred and sixty acres to any one person, company or corporation.

Sec. Art.

IOWA.**11. I.**

The State University shall be established at one place without branches at any other place, and the University fund shall be applied to that institution and no other.

KANSAS.**7. VI.**

Provision shall be made by law for the establishment at some eligible and central point, of a State university, for the promotion of literature, and the arts and sciences, including a normal and an agricultural department. All funds arising from the sale or rents of lands granted by the United States to the State for the support of a State university, and all other grants, donations or bequests, either by the State or by individuals, for such purpose, shall remain a perpetual fund, to be called the "University Fund," the interest of which shall be appropriated to the support of the State university.

LOUISIANA.

Art. 230. The University of Louisiana, as at present established and located at New Orleans, is hereby recognized in its three departments, to wit: The law, the medical and the academical departments, to be governed and controlled by appropriate faculties.

The General Assembly shall, from time to time, make such provision for the proper government, maintenance and support of said State University of Louisiana, and all the departments thereof, as the public necessities and well-being of the people of the State of Louisi-

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ana may require, not to exceed ten thousand dollars annually. The Louisiana State University and Agricultural and Mechanical College, now established and located in the city of Baton Rouge, is hereby recognized, and all revenues derived and to be derived from the sales of land or land script, donated by the United States to the State of Louisiana, for the use of a seminary of learning and mechanical and agricultural college, shall be appropriated exclusively to the maintenance and support of said University and Agricultural and Mechanical College, and the General Assembly shall, from time to time, make such additional appropriations for the maintenance and support of said Louisiana State University and Agricultural and Mechanical College as the public necessities and the well-being of the people of the State of Louisiana may require, not to exceed ten thousand dollars annually.

MASSACHUSETTS.

Art. I. Whereas our wise and pious ancestors, so early as the year one thousand six hundred and thirty-six, laid the foundation of Harvard College, in which university many persons of great eminence have, by the blessing of God, been initiated in those arts of sciences which qualified them for public employments, both in church and State; and whereas the encouragement of arts and sciences, and all good literature, tends to the honor of God, the advantage of the Christian religion, and the great benefit of this and the other United States of America—it is declared, that the President and Fellows of Harvard College, in their corporate ca-

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pacity, and their successors in that capacity, their officers and servants, shall have, hold, use, exercise and enjoy all the powers, authorities, rights, liberties, privileges, immunities and franchises, which they now have, or are entitled to have, hold, use, exercise and enjoy; and the same are hereby ratified and confirmed unto them, the said President and Fellows of Harvard College, and to their successors, and to their officers and servants, respectively, forever.

II. And whereas, there have been at sundry times, by divers persons, gifts, grants, devises of houses, lands, tenements, goods, chattels, legacies and conveyances, heretofore made, either to Harvard College in Cambridge, in New England, or to the President and Fellows of Harvard College, or to the said college by some description under several charters, successively; it is declared, that all the said gifts, grants, devises, legacies, and conveyances, are hereby forever confirmed unto the President and Fellows of Harvard College, and to their successors in the capacity aforesaid, according to true intent and meaning of the donor or donors, grantor or grantors, deviser or devisors.

III. And whereas, by an act of the General Court of the colony of Massachusetts Bay, passed in the year one thousand six hundred and forty-two, the Governor and Deputy-Governor, for the time being, and all the magistrates of that jurisdiction, were, with the President, and a number of the clergy in the said act described, constituted the overseers of Harvard College; and it being necessary in this new Constitution of government to ascertain who shall be deemed successors to the

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Sec. Art.

said Governor, Deputy-Governor and magistrates; it is declared, that the Governor, Lieutenant-Governor, Council and Senate of this Commonwealth, are, and shall be deemed, their successors, who, with the President of Harvard College, for the time being, together with the ministers of the Congregational churches in the towns of Cambridge, Watertown, Charlestown, Boston, Roxbury and Dorchester, mentioned in the said act, shall be, and hereby are, vested with all the powers and authority belonging, or in any way appertaining to the overseers of Harvard College: Provided, that nothing herein shall be construed to prevent the Legislature of this Commonwealth from making such alterations in the government of the said university, as shall be conducive to its advantage, and the interest of the republic of letters, in as full a manner as might have been done by the Legislature of the late Province of the Massachusetts Bay.

MINNESOTA.

4. VIII.

The location of the University of Minnesota, as established by existing laws, is hereby confirmed, and said institution is hereby declared to be the University of the State of Minnesota. All the rights, immunities, franchises and endowments heretofore granted or conferred, are hereby perpetuated unto the said university; and all lands which may be granted hereafter by Congress, or other donations for said university purposes, shall vest in the institution referred to in this section.

MISSOURI.

5. XI.

The General Assembly shall,

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whenever the public school fund will permit, and the actual necessity of the same may require, aid and maintain the State University now established, with its present departments. The government of the State University shall be vested in a Board of Curators, to consist of nine members, to be appointed by the Governor, by and with the advice and consent of the Senate.

MONTANA.

12. XI.

The funds of the State University and of all other State institutions of learning, from whatever source accruing, shall forever remain inviolate and sacred to the purpose for which they were dedicated. The various funds shall be respectively invested under such regulations as may be prescribed by law, and shall be guaranteed by the State against loss or diversion. The interest of said invested funds, together with the rents from leased lands or properties shall be devoted to the maintenance and perpetuation of these respective institutions.

NEBRASKA.

10. VIII.

The general government of the University of Nebraska shall, under the direction of the Legislature, be vested in a board of six regents, to be styled the Board of Regents of the University of Nebraska, who shall be elected by the electors of the State at large, and their term of office, except those chosen at the first election, as hereinafter provided, shall be six years. Their duties and powers shall be prescribed by law; and they shall receive no compensation, but may be reimbursed their

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actual expenses incurred in the discharge of their duties.

NEVADA.

4. XI.

The Legislature shall provide for the establishment of a State University, which shall embrace departments for agriculture, mechanic arts, and mining, to be controlled by a Board of Regents, whose duties shall be prescribed by law.

NORTH CAROLINA.

7. IX.

The General Assembly shall provide that the benefits of the University, as far as practicable, be extended to the youth of the State free of expense for tuition; also, that all the property which has heretofore accrued to the State, or shall hereafter accrue, from escheats, unclaimed dividends, or distributive shares of the estates of deceased persons, shall be appropriated to the use of the University.

14. IX.

As soon as practicable after the adoption of this Constitution, the General Assembly shall establish and maintain, in connection with the University, a department of agriculture, of mechanics, of mining, and of normal instruction.

SOUTH CAROLINA.

9. X.

The General Assembly shall provide for the maintenance of the State University, and, as soon as practicable, provide for the establishment of an agricultural college, and shall appropriate the land given to this State, for the support of such a college, by the act of Congress, passed July second, one thousand eight hundred and sixty-two, or the

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money or scrip, as the case may be, arising from the sale of said lands, or any lands which may hereafter be given or appropriated for such purpose, for the support and maintenance of such college, and may make the same a branch of the State University, for instruction in agriculture, the mechanic arts, and the natural sciences connected therewith.

10. X.

All the public schools, colleges and universities of this State supported, in whole or in part, by the public funds, shall be free and open to all the children and youths of the State, without regard to race or color.

SOUTH DAKOTA.

3. XIV.

The State university, the agricultural college, the normal schools and all other educational institutions that may be sustained either wholly or in part by the State shall be under the control of a board of nine members, appointed by the Governor and confirmed by the Senate, to be designated by the Regents of Education. They shall hold their office for six years, three retiring every second year.

The Regents, in connection with the faculty of each institution, shall fix the course of study in the same.

The compensation of the Regents shall be fixed by the Legislature.

5. XIV.

The Legislature shall provide that the science of mining and metallurgy be taught in at least one institution of learning under the patronage of the State.

TEXAS.

10. VII.

The Legislature shall, as soon as

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practicable, establish, organize and provide for the maintenance, support and direction of a university of the first class, to be located by a vote of the people of this State, and styled "The University of Texas," for the promotion of literature and the arts and sciences, including an agricultural and mechanical department.

11. VII.

In order to enable the Legislature to perform the duties set forth in the foregoing section, it is hereby declared that all lands and other property heretofore set apart and appropriated for the establishment and maintenance of "The University of Texas," together with all the proceeds of sales of the same, heretofore made or hereafter to be made, and all grants, donations, and appropriations that may hereafter be made by the State of Texas, or from any other source, shall constitute and become a permanent university fund. And the same as realized and received into the treasury of the State (together with such sum belonging to the fund as may now be in the treasury), shall be invested in bonds of the State of Texas, if the same can be obtained, if not, then in United States bonds; and the interest accruing thereon shall be subject to appropriation by the Legislature to accomplish the purpose declared in the foregoing section: Provided, That the one-tenth of the alternate sections of the lands granted to railroads, reserved by the State, which were set apart and appropriated to the establishment of "The University of Texas," by an act of the Legislature of February 11, 1858, entitled "An act to establish 'The University of Texas,'" shall not be included

Sec. Art.

in or constitute a part of the permanent university fund.

12. VII.

The land herein set apart to the university fund shall be sold under such regulations, at such time and on such terms as may be provided by law; and the Legislature shall provide for the prompt collection, at maturity, of all debts due on account of university lands heretofore sold, or that may hereafter be sold, and shall in neither event have the power to grant relief to the purchasers.

13. VII.

The Agricultural and Mechanical College of Texas, established by an act of the Legislature, passed April 17, 1871, located in the county of Brazos, is hereby made and constituted a branch of the University of Texas, for instruction in agriculture, the mechanic arts and the natural sciences connected therewith. And the Legislature shall, at its next session, make an appropriation, not to exceed forty thousand dollars, for the construction and completion of the buildings and improvements, and for providing the furniture necessary to put said college in immediate and successful operation.

15. VII.

In addition to the lands heretofore granted to the University of Texas, there is hereby set apart and appropriated, for the endowment, maintenance and support of said university and its branches, one million acres of the unappropriated public domain of the State, to be designated and surveyed as may be provided by law; and said lands shall be sold under the same regulations and the proceeds invested in the same manner as is provided for the sale and in-

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vestment of the permanent university fund; and the Legislature shall not have power to grant any relief to the purchasers of said lands.

WISCONSIN.**6. X.**

Provision shall be made by law for the establishment of a State University, at or near the seat of State government, and for connecting with the same from time to time, such colleges in different parts of the State as the interests of education may require. The proceeds of all lands that have been or may hereafter be granted by the United States to the State for the support of a university, shall be and remain a perpetual fund to be called the "University Fund," the interest of which shall be appropriated to the support of the State University, and no sectarian instructions shall be allowed in such university.

WYOMING.**15. VII.**

The establishment of the University of Wyoming is hereby confirmed, and said institution, with its several departments, is hereby declared to be the University of the State of Wyoming. All lands which have been heretofore granted or which may be granted hereafter by Congress unto the university as such, or in aid of the instruction to be given in any of its departments, with all other grants, donations, or devises for said university, or for any of its departments, shall vest in

Sec. Art.

said university, and be exclusively used for the purposes for which they were granted donated or devised. The said lands may be leased on terms approved by the land commissioners, but may not be sold on terms not approved by Congress.

16. VII.

The university shall be equally open to students of both sexes, irrespective of race or color, and, in order that the instruction furnished may be as nearly free as possible, any amount in addition to the income from its grants of lands and other sources above mentioned, necessary to its support and maintenance in a condition of full efficiency shall be raised by taxation or otherwise, under provision of the Legislature.

17. VII.

The Legislature shall provide by law for the management of the university, its lands and other property by a board of trustees, consisting of not less than seven members to be appointed by the Governor, by and with the advice and consent of the Senate, and the President of the University, and the Superintendent of Public Instruction, as members ex officio, as such having the right to speak, but not to vote. The duties and powers of the trustees shall be prescribed by law.

5. VII.

The Legislature may provide that the science of mining and metallurgy be taught in one of the institutions of learning under the patronage of the State.

General Provisions.

State Normal School.

Sec. Art.

FLORIDA.**14. XII.**

The Legislature at its first session shall provide for the establishment, maintenance and management of such Normal Schools, not to exceed two, as the interests of public education may demand.

NEVADA.**5. XI.**

The Legislature shall have power to establish normal schools, and such different grades of schools, from the primary department to the university, as in their discretion they may deem necessary, and all professors in said university, or teachers in said schools, of whatever grade, shall be required to take and subscribe to the oath as prescribed in article XV of this Constitution. No professor or teacher who fails to comply with the provisions of any law framed in accordance with the provisions of this section shall be entitled to receive any portion of the public moneys set apart for school purposes.

Sec. Art.

SOUTH CAROLINA.**6. X.**

Within five years after the first regular session of the General Assembly following the adoption of this Constitution, it shall be the duty of the General Assembly to provide for the establishment and support of a normal school, which shall be open to all persons who may wish to become teachers.

VIRGINIA.**5. VIII.**

The General Assembly shall establish, as soon as practicable, normal schools, and may establish agricultural schools, and such grades of schools as shall be for the public good.

WEST VIRGINIA.**11. XII.**

No appropriation shall hereafter be made to any State Normal school, or branch thereof, except to those already established and in operation, or now chartered.

*Miscellaneous.***ARKANSAS.****4. XIV.**

The supervision of public schools and the execution of the laws regulating the same shall be vested in and confided to such officers as may be provided for by the General Assembly.

COLORADO.**16. IX.**

Neither the General Assembly nor the State Board of Education shall have power to prescribe

text books to be used in the public schools.

FLORIDA.**25. III.**

The Legislature shall provide by general law for incorporating such educational, agricultural, mechanical, mining and other useful companies or associations as may be deemed necessary.

10. XII.

The Legislature may provide for

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the division of any county or counties into convenient school districts; and for the election biennially of three school trustees, who shall hold their office for two years, and who shall have the supervision of all the schools within the district; and for the levying and collection of a district school tax for the exclusive use of public free schools within the district, whenever a majority of the qualified electors thereof that pay a tax on real or personal property shall vote in favor of such levy: Provided, That any tax authorized by this section shall not exceed three mills on the dollar in any one year on the taxable property of the district.

GEORGIA.**5. VIII.**

Par. I. Existing local school systems shall not be affected by this Constitution. Nothing contained in section first of this article shall be construed to deprive schools in this State not common schools from participation in the educational fund of the State as to all pupils therein taught in the elementary branches of an English education.

ILLINOIS.**4. VIII.**

No teacher, State, county, township or district school officer shall be interested in the sale, proceeds or profit of any book, apparatus or furniture used or to be used in any school in this State, with which such officer or teacher may be connected, under such penalties as may be provided by the General Assembly.

KANSAS.**5. VI.**

The school lands shall not be sold

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unless such sale shall be authorized by a vote of the people at a general election; but, subject to re-valuation every five years, they may be leased for any number of years not exceeding twenty-five, at a rate established by law.

LOUISIANA.

Art. 226. The general exercises in the public schools shall be conducted in the English language and the elementary branches taught therein: Provided, That these elementary branches may also be taught in the French language in those parishes in the State or localities in said parishes where the French language predominates, if no additional expense is incurred thereby.

MARYLAND.**2. VIII.**

The system of public schools as now constituted shall remain in force until the end of the said first session of the General Assembly, and shall then expire; except so far as adopted or continued by the General Assembly.

MICHIGAN.**12. XIII.**

The Legislature shall also provide for the establishment of at least one library in each township and city; and all fines assessed and collected in the several counties and townships for any breach of the penal laws shall be exclusively applied to the support of such libraries, unless otherwise ordered by the township board of any township or the board of education of any city: Provided, That in no case shall such fines be used for other than library or school purposes.

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10. XIII.

Institutions for the benefit of those inhabitants who are deaf, dumb, blind or insane shall always be fostered and supported.

MISSISSIPPI.

205. VIII.

A public school shall be maintained in each school district in the county at least four months during the scholastic year. A school district neglecting to maintain its school four months shall be entitled to only such part of the free school fund as may be required to pay the teacher for the time actually taught.

MISSOURI.

9. XI.

No part of the public school fund of the State shall ever be invested in the stock or bonds or other obligations of any other State, or of any county, city, town or corporation; and the proceeds of the sales of any lands or other property which now belong, or may hereafter belong, to said school fund, shall be invested in the bonds of the State of Missouri or of the United States.

10. XI.

All county school funds shall be loaned only upon unincumbered real estate security of double the value of the loan, with personal security in addition thereto.

MONTANA.

1. X.

Educational, reformatory and penal institutions, and those for the benefit of the insane, blind, deaf and mute, soldiers' home, such other institutions as the public good may require, shall be established and supported by the State in such manner as may be prescribed by law.

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NEBRASKA.

8. VIII.

University, agricultural college, common school or other lands which are now held or may hereafter be acquired by the State for educational purposes, shall not be sold for less than seven dollars per acre, nor less than the appraised value.

12. VIII.

The Legislature may provide by law for the establishment of a school or schools for the safe keeping, education, employment and reformation of all children under the age of sixteen years who, for want of parental care, or other cause, are growing up in mendicancy or crime.

NEVADA.

1. XII.

Institutions for the benefit of the insane, blind, and deaf and dumb, and such other benevolent institutions as the public good may require, shall be fostered and supported by the State, subject to such regulations as may be prescribed by law.

NORTH CAROLINA.

3. IX.

Each county of the State shall be divided into a convenient number of districts, in which one or more public school shall be maintained at least four months in every year; and if the commissioners of any county shall fail to comply with the aforesaid requirements of this section they shall be liable to indictment.

5. XI.

A house or houses of refuge may be established whenever the public interests may require it, for the correction and instruction of other classes of offenders.

8. XI.

There shall also, as soon as prac-

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ticable, be measures devised by the State for the establishment of one or more orphan houses, where destitute orphans may be cared for, educated and taught some business or trade.

NORTH DAKOTA.**149. VIII.**

In all schools instruction shall be given as far as practicable in those branches of knowledge that tend to impress upon the mind the vital importance of truthfulness, temperance, purity, public spirit, and respect for honest labor of every kind.

PENNSYLVANIA.**3. X.**

Women twenty-one years of age and upwards shall be eligible to any office of control or management under the school laws of this State.

SOUTH CAROLINA.**4. X.**

It shall be the duty of the General Assembly to provide for the compulsory attendance, at either public or private schools, of all children between the ages of six and sixteen years, not physically or mentally disabled, for a term equivalent to twenty-four months at least: Provided, That no law to that effect shall be passed upon a system of public schools has been thoroughly and completely organized, and facilities afforded to all the inhabitants of the State for the free education of their children.

7. X.

Educational institutions for the benefit of the blind, deaf and dumb and such other benevolent institutions as the public good may require, shall be established and supported by the State, subject to such regulations as may be prescribed by law.

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SOUTH DAKOTA.**17. VIII.**

No teacher, State, county, township or district school officer shall be interested in the sale, proceeds or profits of any book, apparatus or furniture used or to be used in any school in this State, under such penalties as shall be provided by law.

1. XIV.

The charitable and penal institutions of the State of South Dakota shall consist of a penitentiary, insane hospital, a school for the deaf and dumb, a school for the blind, and a reform school.

TEXAS.**6. VII.**

All lands heretofore or hereafter granted to the several counties of this State for educational purposes are of right the property of said counties respectively, to which they were granted, and title thereto is vested in said counties, and no adverse possession or limitation shall ever be available against the title of any county. Each county may sell or dispose of its lands in whole or in part in manner to be provided by the Commissioners' Court of the county. Actual settlers residing on said lands shall be protected in the prior right of purchasing the same to the extent of their settlement, not to exceed one hundred and sixty acres, at the price fixed by said court, which price shall not include the value of existing improvements made thereon by such settlers. Said lands, and the proceeds thereof, when sold, shall be held by said counties alone as a trust for the benefit of public schools therein; said proceeds to be invested in bonds of the United States, the State of Texas, or counties in said

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State, or in such other securities, and under such restrictions as may be prescribed by law; and the counties shall be responsible for all investments; the interest thereon, and other revenue, except the principal, shall be available fund.

VERMONT.

41. IX.

Laws for the encouragement of virtue and prevention of vice and immorality ought to be constantly kept in force and duly executed; and a competent number of schools ought to be maintained in each town for the convenient instruction of youth; and one or more grammar schools be incorporated and properly supported in each county in this State. And all religious societies or bodies of men that may be hereafter incorporated for the advancement of religion and learning, or for other pious and charitable purposes, shall be encouraged and protected in the enjoyment of the privileges, immunities and estates, which they in justice ought to enjoy, under such regulations as the General Assembly of this State shall direct.

VIRGINIA.

4. VIII.

The General Assembly shall have power, after a full introduction of the public free school system, to make such laws as shall not permit parents of guardians to allow their children to grow up in ignorance and vagrancy.

11. VIII.

Each city and county shall be held accountable for the destruction of school property that may take place within its limits by incendiaries or open violence.

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WASHINGTON.

1. XIII.

Educational, reformatory and penal institutions; those for the benefit of blind, deaf, dumb and otherwise defective youth; for the insane or idiotic; and such other institutions as the public good may require, shall be fostered and supported by the State, subject to such regulations as may be provided by law. The regents, trustees or commissioners of all such institutions existing at the time of the adoption of this Constitution, and of such as shall thereafter be established by law, shall be appointed by the Governor, by and with the advice and consent of the Senate; and upon all nominations made by the Governor, the question shall be taken by yeas and noes, and entered upon the journal.

WEST VIRGINIA.

6. XII.

The school districts into which any county is now divided shall continue until changed in pursuance of law.

9. XII.

No person connected with the free school system of the State or with any educational institution of any name or grade under State control, shall be interested in the sale, proceeds or profits of any book or other thing used, or to be used therein, under such penalties as may be prescribed by law: Provided, That nothing herein shall be construed to apply to any work written, or thing invented, by such person.

10. X.

No independent free school district or organization shall hereafter be created, except with the consent of the school dis-

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triot or districts out of which the same is to be created, expressed by a majority of the voters voting on the question.

12. XII.

The Legislature shall foster and encourage, moral, intellectual, scientific and agricultural improvement; it shall, whenever it may be practicable, make suitable provision for the blind, mute and insane, and for the organization of such institutions of learning as the best interests of general education in the State may demand.

WISCONSIN.

8. X.

Provision shall be made by law for the sale of all school and university lands after they shall have been appraised, and when any portion of such lands shall be sold, and the purchase-money shall not be paid at the time of the sale, the commissioners shall take security by mortgage upon the land sold for the sum remaining unpaid, with seven per cent interest thereon, payable annually at the office of the treasurer. The commissioners shall be authorized to execute a good and sufficient conveyance to all purchasers of such lands and to discharge any mortgage taken as security,

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when the sum due thereon shall have been paid. The commissioners shall have power to withhold from sale any portion of such lands when they shall deem it expedient, and shall invest all moneys arising from the sale of such lands, as well as all other university and school funds, in such manner as the Legislature shall provide, and shall give such security for the faithful performance of their duties as may be required by law.

WYOMING.

11. VII.

Neither the Legislature nor the Superintendent of Public Instruction shall have power to prescribe text-books to be used in the public schools.

5. XVIII.

Except a preference right to buy as in this Constitution otherwise provided, no law shall ever be passed by the Legislature granting any privileges to persons who may have settled upon any of the school lands granted to the State subsequent to the survey thereof by the general government, by which the amount to be derived by the sale, or other disposition of such lands, shall be diminished directly or indirectly.

GOVERNOR MAY REMOVE CERTAIN OFFICERS.**ARTICLE X.**

1 Section 1. Sheriffs, clerks of counties, district attorneys,
2 and registers in counties having registers, shall be chosen by
3 the electors of the respective counties, once in every three
4 years and as often as vacancies shall happen, except in the
5 counties of New York and Kings, and in counties whose boun-
6 daries are the same as those of a city, where such officers shall
7 be chosen by the electors once in every two or four years as
8 the Legislature shall direct. Sheriffs shall hold no other
9 office, and be ineligible for the next term after the termination
10 of their offices. They may be required by law to renew their
11 security, from time to time; and in default of giving such
12 new security, their offices shall be deemed vacant. But the
13 county shall never be made responsible for the acts of the
14 sheriff. The Governor may remove any officer, in this section
15 mentioned, within the term for which he shall have been
16 elected; giving to such officer a copy of the charges against
17 him, and an opportunity of being heard in his defense.

Sec. Art.**ALABAMA.****26. V.**

A sheriff shall be elected in each county, by the qualified electors thereof, who shall hold his office for the term of four years, unless sooner removed, and shall be ineligible to

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such office as his own successor: Provided, That sheriffs elected on the first Monday in August, eighteen hundred and seventy-seven, or at such other time as may be prescribed by law for the election in that year, shall hold their offices fo

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the term of three years, and until their successors shall be elected and qualified. In the year 1880, at the general election for members to the General Assembly, sheriffs shall be elected for four years, as herein provided. Vacancies in the office of sheriff shall be filled by the Governor, as in other cases, and the person appointed shall continue in office until the next general election in the county for sheriff as provided by law.

ARKANSAS.**46. VII.**

The qualified electors of each county shall elect one sheriff, who shall be ex officio collector of taxes, unless otherwise provided by law; one assessor, one coroner, one treasurer, who shall be ex officio treasurer of the common school fund of the county, and one county surveyor, for the term of two years, with such duties as are now or may be prescribed by law: Provided, That no per centum shall ever be paid to assessors upon the valuation or assessment of property by them.

47. VII.

The qualified electors of each township shall elect a constable for the term of two years, who shall be furnished by the presiding judge of the County Court with a certificate of election, on which his official oath shall be indorsed.

3. XV.

The Governor, upon the joint address of two-thirds of the members elected to each house of the General Assembly, for good cause, may remove the Auditor, Treasurer, Secretary of State, Attorney-General, judges of the Supreme and Circuit Courts, chancellors and prosecuting attorneys.

CALIFORNIA.**5. XI.**

The Legislature, by general and uniform laws, shall provide for the

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election or appointment, in the several counties, of boards of supervisors, sheriffs, county clerks, district attorneys, and such other county, township and municipal officers as public convenience may require, and shall prescribe their duties, and fix their terms of office. It shall regulate the compensation of all such officers, in proportion to duties, and for this purpose may classify the counties by population; and it shall provide for the strict accountability of county and township officers for all fees which may be collected by them, and for all public and municipal moneys which may be paid to them, or officially come into their possession.

CONNECTICUT.**20. IV.**

A sheriff shall be appointed in each county by the General Assembly (altered by amendment of 1838), who shall hold his office for three years (altered by amendment of 1886), removable by said Assembly, and shall become bound, with sufficient sureties to the Treasurer of the State, for the faithful discharge of the duties of his office in such manner as shall be prescribed by law. In case the sheriff of any county shall die or resign, the Governor may fill the vacancy occasioned thereby, until the same shall be filled by the General Assembly.

COLORADO.**21. VI.**

There shall be elected by the qualified electors of each judicial district at each regular election for judges of the Supreme Court, a district attorney for such district, whose term of office shall be three years, and whose duties and compensation shall be as provided by law. No person shall be eligible to the office of district attorney who shall not,

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at the time of his election, be at least twenty-five years of age and possess all the other qualifications for judges of the district courts as described in this article.

8. XIV.

There shall be elected in each county on the first Tuesday of October, in the year one thousand eight hundred and seventy-seven, and every alternate year forever thereafter, one county clerk, who shall be ex officio recorder of deeds and clerk of the board of county commissioners; one sheriff; one coroner; one treasurer, who shall be collector of taxes; one county superintendent of schools; one county surveyor, and one county assessor.

DELAWARE.

4. VII.

The Attorney-General, registers in chancery, prothonotaries, registers, clerks of the Orphans' Court and of the peace, shall respectively be commissioned for five years, if so long they shall behave themselves well; but may be removed by the Governor within that time, on conviction of misbehavior in office or on the address of both houses of the Legislature. Prothonotaries, registers, in chancery, clerks of the Orphans' Courts, registers, recorders and sheriffs shall keep their offices in the town or place in each county in which the Superior Court is usually held.

FLORIDA.

15. V.

The Governor, by and with the consent of the Senate, shall appoint a State Attorney in each Judicial Circuit, whose duties shall be prescribed by law, and who shall hold office for four years. There shall be elected in each county a sheriff and a clerk of the Circuit Court, who shall also be the clerk of the County Court, except in counties where there are criminal courts,

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and of the board of county commissioners, and recorder, and ex officio auditor of the county, each of whom shall hold office for four years. Their duties shall be prescribed by law.

23. V.

A constable shall be elected by the registered voters in each justices' district, who shall perform such duties and under such regulations as may be prescribed by law.

GEORGIA.

2. XI.

Par. 1. The county officers shall be elected by the qualified voters of their respective counties or districts, and shall hold their offices for two years. They shall be removed on conviction of malpractice in office, and no person shall be eligible to any of the offices referred to in this paragraph unless he shall have been a resident of the county for two years and is a qualified voter.

IDAHO.

18. V.

A district attorney shall be elected for each judicial district by the qualified electors thereof, who shall hold office for the term of four years, and perform such duties as may be prescribed by law. He shall be a practising attorney at law and a resident and elector of the district. He shall receive as compensation for his services twenty-five hundred dollars per annum.

INDIANA.

2. V.

There shall be elected in each county, by the voters thereof, at the time of holding general elections, a clerk of the Circuit Court, auditor, recorder, treasurer, sheriff, coroner and surveyor. The clerk, auditor and recorder shall continue in office four years; and no person shall be eligible to the office of clerk, recorder or auditor more than eight

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years in any period of twelve years. The treasurer, sheriff, coroner and surveyor, shall continue in office two years; and no person shall be eligible to the office of treasurer or sheriff more than four years in any period of six years.

IOWA.

13. V.

The qualified electors of each judicial district shall, at the time of the election of district judge, elect a district attorney, who shall be a resident of the district for which he is elected, and who shall hold his office for the term of four years, and until his successor shall have been elected and qualified.

(The foregoing section was stricken out and the following substituted therefor at the general election in 1884.)

(Sec. 13.) The qualified electors of each county shall, at the general election in the year 1886 and every two years thereafter, elect a county attorney, who shall be a resident of the county for which he is elected, and shall hold his office for two years, and until his successor shall have been elected and qualified.

(The foregoing section was adopted as substitute for the original section at the general election in 1884.)

KANSAS.

3. IX.

All county officers shall hold their offices for the term of two years, and until their successor shall be qualified, except county commissioners, who shall hold their offices for the term of three years: Provided, that at the general election in the year eighteen hundred and seventy-seven the commissioner elected from district number one in each county shall hold his office for the term of one year, the commissioner elected from district number two in each county shall hold his office for the term of two years, and

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the commissioner elected from district number three in each county shall hold his office for the term of three years; but no person shall hold the office of sheriff or county treasurer for more than two consecutive terms.

5. IX.

All county and township officers may be removed from office, in such manner and for such cause, as shall be prescribed by law.

KENTUCKY.

99.

There shall be elected in eighteen hundred and ninety-four in each county a judge of the County Court, a county court clerk, a county attorney, sheriff, jailer, coroner, surveyor and assessor, and in each justice's district one justice of the peace and one constable, who shall enter upon the discharge of the duties of their office on the first Monday in January after their election and continue in office three years, and until the election and qualification of their successors; and in eighteen hundred and ninety-seven, and every four years thereafter, there shall be an election in each county of the officers mentioned, who shall hold their offices four years (from the first Monday in January after their election), and until the election and qualification of their successors. The first election of sheriffs under this Constitution shall be held in eighteen hundred and ninety-two, and the sheriffs then elected shall hold their offices two years, and until the election and qualification of their successors. The sheriffs now in office for their first term shall be eligible to re-election in eighteen hundred and ninety-two, and those elected in eighteen hundred and ninety-two for the first term shall be eligible to re-election in eighteen hundred and ninety-four,

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but thereafter no sheriff shall be eligible to re-election or to act as deputy for the succeeding term.

103.

The judges of the county courts, clerks, sheriffs, surveyors, coroners, jailers, constables and such other officers as the General Assembly may, from time to time, require, shall, before they enter upon the duties of their respective offices, and as often thereafter as may be deemed proper; give such bond and security as may be prescribed by law.

LOUISIANA.

Art. 118. There shall be a sheriff and coroner elected by the qualified voters of each parish in the State, except the parish of Orleans, who shall be elected at the general elections and hold office for four years.

The coroner shall act for and in place of the sheriff whenever the sheriff shall be partly interested, and whenever there shall be a vacancy in the office of sheriff, until such vacancy shall be filled; but he shall not during such vacancy discharge the duties of tax collector.

The sheriff, except in the parish of Orleans, shall be ex officio collector of State and parish taxes.

He shall give separate bonds for the faithful performance of his duty in each capacity. Until otherwise provided, the bonds shall be given according to existing laws.

The General Assembly, after the adoption of this Constitution, shall pass a general law regulating the amount, form, condition and mode of approval of such bonds, so as to fully secure the State and parish, and all parties in interest.

Sheriffs elected at the first election under this Constitution shall comply with the provisions of such law within thirty days after its promulgation, in default of which the office shall be declared vacant and the

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Governor shall appoint for the remainder of the term.

Art. 124. There shall be a district attorney for each judicial district in the State, who shall be elected by the qualified electors of the judicial district. He shall receive a salary of one thousand dollars per annum, payable monthly on his own warrant, and shall hold his office for four years. He shall be an actual resident of the district and a licensed attorney at law in this State.

He shall also receive fees; but no fees shall be allowed in criminal cases, except on conviction.

Any vacancy in the office of district attorney shall be filled by appointment by the Governor for the unexpired term. There shall be no parish attorney or district attorney pro tempore. (This article shall not apply to the parish of Orleans.)

Art. 127. There shall be a constable for the court of each justice of the peace in the several parishes of the State, the parish of Orleans excepted, who shall be elected for the term of four years by the qualified voters within the territorial limits of the jurisdiction of the several justices of the peace.

The compensation, salaries or fees of constables and the amount of their bonds shall be fixed by the General Assembly.

Art. 134. There shall be a district attorney for the parish of Orleans, who shall possess the same qualifications and be elected in the same manner and for the same period of time as the district attorneys for other parishes, as provided by this Constitution.

He shall receive a salary of one thousand dollars per annum and such fees as may be allowed by law; but no fee shall be allowed in criminal cases except on conviction.

He may appoint an assistant at a salary not to exceed fifteen hundred dollars per annum.

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Art. 139. There shall be a civil and criminal sheriff for the parish of Orleans. The civil sheriff shall be the executive officer of all the civil courts, except city courts, and the criminal sheriff shall be the executive officer of the Criminal District Court.

They shall attend the sittings, execute the writs and mandates of their respective courts. They shall be elected by the voters of the parish of Orleans every four years. They shall be citizens of the State, residents and voters of the city of New Orleans, at least twenty-five years of age, and shall be removable each by the district court of which he is the executive officer, upon proof after trial, without jury, of gross or continued neglect, incompetency or unlawful conduct, operating injury to the court or any individual. The two district courts for the parish of Orleans shall immediately upon organization under this Constitution, in joint session, adopts rules governing the lodging of complaints against and trial of such officers; and such rules once adopted shall not be changed, except by the unanimous consent of all the judges composing the said courts.

Art. 140. The civil sheriff of the parish of Orleans shall receive such fees as the General Assembly may fix. He shall render monthly accounts, giving amounts and dates, number and title of causes wherein received or paid out, of all sums collected and disbursed by him, which shall be filed in the Civil District Court of said parish and form a part of its public records.

He shall be responsible to the State for all profits of said office over ten thousand dollars per annum, and shall settle with the State at least once a year in such manner as the General Assembly may provide.

The criminal sheriff shall receive an annual salary of thirty-six hundred

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dollars and no more. He shall receive no other compensation. He shall charge and collect for the State from parties convicted such fees and charges as may be fixed by law, and shall render monthly accounts of the same.

Art. 142. The civil sheriff for said parish shall execute a bond with sureties, residents of said parish, conditioned for the lawful and faithful performance of the duties of his office, in the sum of fifty thousand dollars. The sureties shall be examined in open court by the judges of the Civil District Court for the parish of Orleans, and the questions and answers shall be reduced to writing and form a portion of the records of said court.

A similar bond shall be executed by the criminal sheriff of said parish in the sum of ten thousand dollars, with sureties to be examined and approved as to solvency by the Criminal District Court of said parish, as herein directed for the Civil District court of said parish in the case of the civil sheriff.

Art. 143. There shall be one constable for each City Court of the parish of Orleans, who shall be the executive officer of such court. He shall be elected by the qualified voters of the parish of Orleans for the term of four years. The General Assembly shall define his qualifications and fix his compensation and duties, and shall assimilate the same so far as practicable to the provisions of this Constitution relating to the civil sheriff of said parish. The judges of the City Courts shall sit in banc to examine such bonds, try and remove constables and adopt rules regulating such trial and removal. They shall, in such proceedings, be governed so far as practicable, by the provisions of this Constitution regulating the proceedings of the District Courts

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of the parish of Orleans in the case of the sheriffs of said parish.

Art. 144. There shall be a register of conveyances and a recorder of mortgages for the parish of Orleans, who shall be elected by the qualified voters of said parish every four years. The register of conveyances shall receive an annual salary of twenty-five hundred dollars and no more, and said recorder of mortgages, an annual salary of four thousand dollars and no more. The General Assembly shall regulate the qualifications and duties of said officers and the number of employees they shall appoint, and fix the salaries of such employees, not to exceed eighteen hundred dollars for each.

Art. 147. There shall be one coroner for the parish of Orleans, who shall be elected every four years by the qualified voters of said parish and whose duties shall be regulated by law. He shall be ex officio city physician of the city of New Orleans, and receive an annual salary of five thousand dollars, and no more. He shall be a practicing physician of said city, and a graduate of the medical department of some university of respectable standing. He may appoint an assistant having the same qualifications as himself, at an annual salary not exceeding three thousand dollars. The salaries of both coroner and assistant to be paid by the parish of Orleans.

The maintenance and support of prisoners confined in the parish of Orleans, upon charges of conviction for criminal offenses, shall be under the control of the city of New Orleans.

Art. 201. For any of the causes enumerated in article 196, district attorneys, clerks of court, sheriffs, coroners, recorders, justices of the peace and all other parish, muni-

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cipal and ward officers shall be removed by judgment of the District Court of the domicile of such officer (in the parish of Orleans the Civil District Court); and it shall be the duty of the district attorney, except when the suit is to be brought against himself, to institute suit in the manner directed in article 200, on the written request and information of twenty-five resident citizens and taxpayers in the case of district, parish or municipal officers, and of ten resident citizens and taxpayers in the case of ward officers. Such suit shall be brought against a district attorney by the district attorney of an adjoining district, or by counsel appointed by the judge for that purpose. In all such cases the defendant, the State and the citizens and taxpayers on whose information and at whose request such suit was brought, or any one of them, shall have the right to appeal, both on the law and the facts, from the judgment of the court. In all cases where the officer sued as, above directed, shall be acquitted, judgment shall be rendered jointly and in solido against the citizens signing the request, for all costs of the suit.

In cases against district attorneys, clerks, sheriffs and recorders the appeal shall be to the Supreme Court, and in cases against all other officers the appeal shall be to the Court of Appeals of the proper circuit.

Such appeal shall be returnable within ten days to the appellate court, wherever it may be sitting or wherever it may hold its next session, and may be transferred by order of the judges of said court to another parish within their circuit, and such appeals shall be tried by preference over all others. In case of the refusal or neglect of the district attorney or Attorney-General to institute

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and prosecute any suit provided for in this and the preceding article, the citizens and taxpayers making the request, or any one of them, shall have the right by mandamus to compel him to perform such duty.

MAINE.**10. IX.**

Sheriffs shall be elected by the people of their respective counties, by a plurality of the votes given in on the second Monday of September, and shall hold their offices for two years from the first day of January next after their election. Vacancies shall be filled in the same manner as is provided in the case of judges and registers of probate.

MARYLAND.**41. IV.**

There shall be a register of wills in each county of the State, and the city of Baltimore, to be elected by the legal and qualified voters of said counties and cities, respectively, who shall hold his office for six years from the time of his election, and until his successor is elected and qualified; he shall be re-eligible and subject at all times to removal for willful neglect of duty, or misdemeanor in office in the same manner that the clerks of courts are removable. In the event of any vacancy in the office of the register of wills, said vacancy shall be filled by the judges of the Orphans' Court in which such vacancy occurs, until the next general election for Delegates to the General Assembly, when a register shall be elected to serve for six years thereafter.

44. IV.

There shall be elected in each county, and in the city of Baltimore, in every second year, one person, resident in said county or city, above the age of twenty-five years, and at least five years preceding his election, a citizen of this State, to the

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office of sheriff. He shall hold his office for two years, and until his successor is duly elected and qualified; shall be ineligible for two years thereafter; shall give such bond, exercise such powers and perform such duties as now are or may hereafter be fixed by law. In case of a vacancy by death, resignation, refusal to serve, or neglect to qualify, or give bond, or by disqualification, or removal from the county or city, the Governor shall appoint a person to be sheriff for the remainder of the official term.

45. IV.

Coroners, elisors and notaries public may be appointed for each county and the city of Baltimore, in the manner, for the purpose and with the powers now fixed or which may hereafter be prescribed by law.

7. V.

There shall be an attorney for the State in each county and the city of Baltimore, to be styled "The State's Attorney," who shall be elected by the voters thereof, respectfully, on the Tuesday next after the first Monday in November in the year eighteen hundred and sixty-seven, and on the same day every fourth year thereafter, and shall hold his office for four years from the first Monday in January next ensuing his election, and until his successor shall be elected and qualified; and shall be re-eligible thereto, and be subject to removal therefrom for incompetency, willful neglect of duty or misdemeanor in office on conviction in a court of law, or by a vote of two-thirds of the Senate, on the recommendation of the Attorney-General.

MASSACHUSETTS.

Art. XIX. The Legislature shall prescribe, by general law, for the election of sheriffs, registers of probate, commissioners of insolvency, and

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clerks of the courts, by the people of the several counties, and that district attorneys shall be chosen by the people of the several districts for such term of office as the Legislature shall prescribe.

MICHIGAN.

3. X.

In each organized county there shall be a sheriff, a county clerk, a county treasurer, a register of deeds, and a prosecuting attorney, chosen by the electors thereof, once in two years, and as often as vacancies shall happen, whose duties and powers shall be prescribed by law. The board of supervisors in any county may unite the offices of county clerk and register of deeds in one office, or disconnect the same.

4. X.

The sheriff, county clerk, county treasurer, judge of probate, and register of deeds shall hold their offices at the county seat.

5. X.

The sheriff shall hold no other office, and shall be incapable of holding the office of sheriff longer than four in a period of six years. He may be required by law to renew his security from time to time, and in default of giving such security his office shall be deemed vacant. The county shall never be responsible for his acts.

7. XII.

The Legislature shall provide by law for the removal of any officer elected by a county, township or school district, in such manner and for such cause as to them shall seem just and proper.

3. XIX.

The district attorney shall be elected every two years by the electors of the district; shall perform the duties of prosecuting attorney throughout the entire district, and may issue warrants for the arrest of offenders

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in cases of felony, to be proceeded with as shall be prescribed by law.

MINNESOTA.

4. XI.

Provision shall be made by law for the election of such county or township officers as may be necessary.

MISSISSIPPI.

135. V.

There shall be a sheriff, coroner, treasurer, assessor and surveyor for each county, to be selected as elsewhere provided herein, who shall hold their offices for four years. The sheriff and treasurer shall be ineligible to immediately succeed themselves or each other in office.

138. V.

The sheriff, coroner, treasurer, assessor, surveyor, clerk of the courts and members of the board of supervisors of the several counties, and all other officers exercising local jurisdiction therein, shall be selected in the manner provided by law for each county.

139. V.

The Legislature may empower the Governor to remove and appoint officers, in any county or counties or municipal corporations, under such regulations as may be prescribed by law.

MONTANA.

19. VIII.

There shall be elected at the general election in each county of the State one county attorney, whose qualifications shall be the same as are required for a judge of the District Court, except that he must be over twenty-one years of age, but need not be twenty-five years of age, and whose term of office shall be two years, except that the county attorneys first elected shall hold their offices until the general election in the year one thousand eight hundred and ninety-two (1892), and until their successors are elected and qualified. He shall have a

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salary to be fixed by law, one-half of which shall be paid by the State, and the other half by the county for which he is elected, and he shall perform such duties as may be required by law.

4. XVI.

In each county there shall be elected three county commissioners, whose term of office shall be four years: Provided, That the term of office of those elected to succeed those elected October 1, 1889, shall expire on the first Monday of January, 1895; and: Provided further, that at the general election to be held in November, 1894, one commissioner shall be elected for a term of two years, and two commissioners for a term of four years. A vacancy in the board of county commissioners shall be filled by appointment by the district judge of the district in which the vacancy occurs.

5. XVI.

There shall be elected in each county the following officers: One county clerk, who shall be clerk of the board of county commissioners and ex officio recorder; one sheriff; one treasurer, who shall be collector of taxes: Provided, That no person shall hold the office of county treasurer for more than two consecutive terms; one county superintendent of schools; one county surveyor; one assessor; one coroner; one public administrator. Persons elected to the different offices named in this section shall hold their respective offices for the term of two years, and until their successors are elected and qualified. Vacancies in all county, township and precinct offices, except that of county commissioners, shall be filled by appointment by the board of county commissioners, and the appointee shall hold his office until the next general election.

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NEVADA.

20. IV.

The Legislature shall provide by law for county election of a board of county commissioners in each county, and such county commissioners shall jointly and individually perform such duties as may be prescribed by law.

NEW HAMPSHIRE.

Art. 71. The county treasurers, registers of probate, solicitors, sheriffs, and registers of deeds shall be elected by the inhabitants of the several towns in the several counties in the State, according to the method now practiced and the laws of the State: Provided, nevertheless, The Legislature shall have authority to alter the manner of certifying the votes and the mode of electing those officers, but not so as to deprive the people of the right they now have of electing them.

NEW JERSEY.

3. VII.

The State Treasurer and Comptroller shall be appointed by the Senate and General Assembly in joint meeting.

They shall hold their offices for three years, and until their successors shall be qualified into office.

7. VII.

Sheriffs and coroners shall be elected by the people of their respective counties, at the election for the members of the General Assembly, and they shall hold their offices for three years, after which three years must elapse before they can be again capable of serving. Sheriffs shall annually renew their bonds.

NORTH CAROLINA.

24. IV.

In each county a sheriff and coroner shall be elected by the qualified voters thereof, as is prescribed for members of the General Assembly,

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and shall hold their offices for two years. In each township there shall be a constable elected in like manner by the voters thereof, who shall hold his office for two years. When there is no coroner in a county, the clerk of the Superior Court for the county may appoint one for special cases. In case of a vacancy existing for any cause in any of the offices created by this section, the commissioners of the county may appoint to such office for the unexpired term.

OHIO.

2. X.

County officers shall be elected on the first Tuesday after the first Monday in November, by the electors in each county, and in such manner and for such term, not exceeding three years, as may be provided by law.

3. X.

No person shall be eligible to the office of sheriff, or county treasurer, for more than four years, in any period of six years.

6. VI. OREGON.

There shall be elected in each county, by the qualified electors thereof, at the time of holding general elections, a county clerk, treasurer, sheriff, coroner, and surveyor, who shall severally hold their offices for the term of two years.

8. VI.

No person shall be elected or appointed to a county office who shall not be an elector of the county; and all county, township, precinct and city officers shall keep their respective offices at such places therein, and perform such duties as may be prescribed by law.

15. VII.

A county clerk shall be elected in each county for the term of two years, who shall keep all the public

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records, books and papers of the county, record conveyances, and perform the duties of clerk of the circuit and county courts, and such other duties as may be prescribed by law; but whenever the number of voters in any county shall exceed twelve hundred, the Legislative Assembly may authorize the election of one person as clerk of the Circuit Court, one person as clerk of the County Court, and one person recorder of conveyances.

16. VII.

A sheriff shall be elected in each county for the term of two years, who shall be the ministerial officers of the Circuit and County Courts, and shall perform such other duties as may be prescribed by law.

17. VII.

There shall be elected by districts comprised of one or more counties, a sufficient number of prosecuting attorneys, who shall be the law officers of the State, and of the counties within their respective districts, and shall perform such duties pertaining to the administration of law and general police as the Legislative Assembly may direct.

SOUTH CAROLINA.

19. IV.

The qualified electors of each county shall elect three persons for the term of two years, who shall constitute a board of county commissioners, which shall have jurisdiction over roads, highways, ferries, bridges, and all matters relating to taxes, disbursements of money for county purposes, and in every other case that may be necessary to the internal improvement and local concerns of the respective counties: Provided, That in all cases there shall be the right to appeal to the State Courts. (Repealed.)

30. IV.

The qualified electors of each county

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shall elect a sheriff and a coroner, for the term of four years, and until their successors are elected and qualified; they shall reside in their respective counties during their continuance in office, and be disqualified for the office a second time if it should appear that they or either of them, are in default for moneys collected by virtue of their respective offices.

SOUTH DAKOTA.

5. IX.

In each organized county at the first general election held after the admission of the State of South Dakota into the Union, and every two years thereafter, there shall be elected a clerk of the court, sheriff, county auditor, register of deeds, treasurer, State's attorney, surveyor, coroner, and superintendent of schools, whose terms of office respectively shall be two years, and except the clerk of the court, no person shall be eligible for more than four years in succession to any of the above named offices.

7. IX.

All county, township and district officers shall be electors in the county, township or district in which they are elected: Provided, That nothing in this section shall prevent the holding of school offices by any person, as provided in section 9, article VII.

TENNESSEE.

1. VII.

There shall be elected in each county, by the qualified voters therein, one sheriff, one trustee and one register: the sheriff and trustee for two years; but no person shall be eligible to the office of sheriff more than six years in any term of eight years. There shall be elected for each county, by the justices of the peace, one coroner and one ranger, who shall hold their offices for two years. Said officers shall be removed for

Sec. Art.

malfeasance or neglect of duty, in such manner as may be prescribed by law.

2. VII.

Should a vacancy occur, subsequent to an election, in the office of sheriff, trustee or register, it shall be filled by the justices; if in that of the clerk to be elected by the people, it shall be filled by the courts; and the person so appointed shall continue in office until his successor shall be elected and qualified; and such office shall be filled by the qualified voters at the first election for any of the county officers.

TEXAS.

20. V.

There shall be elected for each county, by the qualified voters, a county clerk, who shall hold his office for two years, who shall be clerk of the county and commissioners' courts, and the recorder of the county, whose duties, perquisites and fees of office shall be prescribed by the Legislature, and a vacancy in whose office shall be filled by the Commissioners' Court, until the next general election for county and State officers: Provided, that in counties having a population of less than eight thousand persons there may be an election of a single clerk, who shall perform the duties of district and county clerks.

21. V.

A county attorney, for counties in which there is not a resident criminal district attorney, shall be elected by the qualified voters of each county, who shall be commissioned by the Governor, and hold his office for the term of two years. In case of vacancy the Commissioners' Court of the county shall have power to appoint a county attorney until the next general election. The county attorneys shall represent the State in all cases in the district and inferior courts in their respective

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counties; but if any county shall be included in a district in which there shall be a district attorney, the respective duties of district attorneys and county attorneys shall, in such counties, be regulated by the Legislature. The Legislature may provide for the election of district attorneys in such districts as may be deemed necessary, and make provision for the compensation of district attorneys and county attorneys: Provided, district attorneys shall receive an annual salary of five hundred dollars, to be paid by the State, and such fees, commissions and perquisites as may be provided by law. County attorneys shall receive as compensation only such fees, commissions and perquisites as may be prescribed by law.

23. V.

There shall be elected by the qualified voters of each county a sheriff, who shall hold his office for the term of two years, whose duties, and perquisites, and fees of office, shall be prescribed by the Legislature, and vacancies in whose office shall be filled by the Commissioners' Court until the next general election for county or State officers.

14. VIII.

There shall be elected by the qualified electors of each county, at the same time and under the same laws regulating the election of State and county officers, an assessor of taxes, who shall hold his office for two years and until his successor is elected and qualified.

VERMONT.

19. XXI.

No member of the Council, or House of Representatives, shall, directly or indirectly, receive any fee or reward, to bring forward or advocate any bill, petition or other business to be transacted in the Legislature, or advocate any cause, as counsel in

Sec. Art.

either house of legislation, except when employed in behalf of the State.

Sheriffs and high bailiffs shall be elected by the freemen of their respective counties.

VIRGINIA.

1. VII.

There shall be elected by the qualified voters of the county one sheriff, one attorney for the Commonwealth, who shall also be the Commonwealth's attorney for the Circuit Court; one county clerk, who shall also be the clerk of the Circuit Court, except that in counties containing fifteen thousand inhabitants there may be a separate clerk for the Circuit Court; one county treasurer, and so many commissioners of the revenue as may be provided by law; and there shall be appointed, in a manner to be provided by law, one superintendent of the poor and one county surveyor; and there shall also be appointed, in the manner provided for in article eight, one superintendent of schools. All regular elections for county officers shall be held on the fourth Thursday in May, and all officers elected or appointed under this provision shall enter upon the duties of their offices on the first day of July next succeeding their election, and shall hold their respective offices for the term of four years, except that county and circuit court clerks shall hold office for six years.

5. VII.

Sheriffs shall hold no other office. They may be required by law to renew their security, and in default of so doing their offices shall be declared vacant. Counties shall never be made responsible for the acts of their sheriffs.

WEST VIRGINIA.

3. IX.

The same person shall not be elected

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sheriff for two consecutive full terms; nor shall any person who acted as his deputy be elected successor to such sheriff; nor shall any sheriff act as deputy of his successor; nor shall he, during his term of service, or within one year thereafter, be eligible to any other office. The retiring sheriff shall finish all business remaining in his hands at the expiration of his term; for which purpose his commission and official bond shall remain in force. The duties of the office of sheriff shall be performed by him in person, or under his superintendence.

WISCONSIN.**4. VI.**

Sheriffs, coroners, registers of deeds

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and district attorneys shall be chosen by the electors of the respective counties once in every two years, and as often as vacancies shall happen. Sheriffs shall hold no other office, and be ineligible for two years next succeeding the termination of their offices. They may be required by law to renew their security from time to time; and in default of giving such new security, their offices shall be deemed vacant. But the county shall never be made responsible for the acts of the sheriff. The Governor may remove any officer in this section mentioned, giving to such officer a copy of the charges against him and an opportunity of being heard in his defense.

OFFICERS, HOW CHOSEN OR APPOINTED.

1 Sec. 2. All county officers, whose election or appoint-
2 ment is not provided for by this Constitution, shall be elected
3 by the electors of the respective counties or appointed by the
4 boards of supervisors, or other county authorities, as the Legis-
5 lature shall direct. All city, town and village officers, whose
6 election or appointment is not provided for by this Constitu-
7 tion, shall be elected by the electors of such cities, towns and
8 villages, or some division thereof, or appointed by such
9 authorities thereof, as the Legislature shall designate for that
10 purpose. All other officers, whose election or appointment
11 is not provided for by this Constitution, and all officers, whose
12 offices may hereafter be created by law, shall be elected by the
13 people, or appointed, as the Legislature may direct.

Sec. Art.**CONNECTICUT.**

A sheriff shall be appointed in each county by the electors therein, in such manner as shall be prescribed by law, who shall hold his office for three years (altered by amendment of 1896), removable by the General Assembly, and shall become bound with sufficient sureties to the Treasurer of the State for the faithful discharge of the duties of his office.

Sheriffs shall be elected in the several counties, on the Tuesday after the first Monday of November, 1886, and quadrennially thereafter, for the term of four years, commencing

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on the first day of June following their election.

COLORADO.**12. XIV.**

The General Assembly shall provide for the election or appointment of such other county, township, precinct and municipal officers as public convenience may require; and their terms of office shall be as prescribed by law, not in any case to exceed two years.

DELAWARE.**3. VII.**

The sheriff and coroner of each county shall be chosen by the citizens residing in such counties. They

Officers, How Chosen or Appointed.

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shall hold their respective offices for two years, if so long they behave themselves well, and until successors be duly qualified; but no person shall be twice chosen sheriff upon election by the citizens in any term of four years. They shall be commissioned by the Governor. The Governor shall fill vacancies in these offices by appointments to continue until the next election and until successors shall be duly qualified. The Legislature, two-thirds of each branch concurring, may vest the appointment of sheriffs and coroners in the Governor; but no person shall be twice appointed sheriff in any term of six years.

FLORIDA.**27. III.**

The Legislature shall provide for the election by the people or appointment by the Governor of all State and county officers not otherwise provided for by this Constitution, and fix by law their duties and compensation.

6. VIII.

The Legislature shall provide for the election by the qualified electors in each county of the following county officers: A clerk of the Circuit Court, a sheriff, constables, a county assessor of taxes, a tax collector, a county treasurer, a superintendent of public instruction, and a county surveyor. The term of office of all county officers mentioned in this section shall be four years, except that of county assessor of taxes, county tax collector and county treasurer, who shall be elected for two years. Their powers, duties and compensation shall be prescribed by law.

IDAHO.**6. XVIII.**

The Legislature, by general and uniform laws, shall provide for the election biennially in each of the

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several counties of the State of county commissioners, a sheriff, county treasurer, who is ex officio public administrator; probate judge, who is ex officio county superintendent of public instruction; county assessor, who is ex officio tax collector; a coroner and a surveyor. The clerk of the District Court shall be ex officio auditor and recorder. No other county offices shall be established, but the Legislature, by general and uniform laws, shall provide for the election of such township, precinct and municipal officers as public convenience may require, and shall prescribe their duties and fix their terms of office. The Legislature shall provide for the strict accountability of county, township, precinct and municipal officers for all fees which may be collected by them, and for all public and municipal moneys which may be paid to them, or officially come into their possession. The county commissioners may employ counsel when necessary. The sheriff, auditor and recorder and clerk of the District Court shall be empowered by the county commissioners to appoint such deputies and clerical assistants as the business of their offices may require; said deputies and clerical assistants to receive such compensation as may be fixed by the county commissioners. No sheriff or county assessor shall be qualified to hold the term of office immediately succeeding the term for which he was elected.

ILLINOIS.**8. X.**

In each county there shall be elected the following county officers, at the general election to be held on the Tuesday after the first Monday in November, A. D. 1882: A county judge, county clerk, sheriff and treasurer, and at the election to be held on Tuesday after the first Mon-

Officers, How Chosen or Appointed.

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day in November, A. D. 1884, a coroner and clerk of the Circuit Court (who may be ex officio recorder of deeds, except in counties having 60,000 and more inhabitants, in which counties a recorder of deeds shall be elected at the general election in 1884). Each of said officers shall enter upon the duties of his office respectively, on the first Monday of December after his election, and they shall hold their respective offices for the term of four years, and until their successors are elected and qualified: Provided, That no person having once been elected to the office of sheriff or treasurer shall be eligible to re-election for four years after the expiration of the term for which he shall have been elected.

INDIANA.**3. VI.**

Such other county and township officers as may be necessary, shall be elected or appointed, in such manner as may be prescribed by law.

KANSAS.**2. IX.**

The Legislature shall provide for such county and township officers as may be necessary.

1. XV.

All officers whose election or appointment if not otherwise provided for, shall be chosen or appointed as may be prescribed by law.

KENTUCKY.**102.**

When a new county shall be created, officers for the same, to serve until the next regular election, shall be elected or appointed in such way and at such times as the General Assembly may prescribe.

107.

The General Assembly may provide for the election or appointment, for a term not exceeding four years, of such other county or district

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ministerial and executive officers as may, from time to time, be necessary.

MARYLAND.**1. VII.**

County commissioners shall be elected on general ticket of each county by the qualified voters of the several counties of the State on the Tuesday next after the first Monday in the month of November, commencing in the year eighteen hundred and ninety-one; their number in each county, their compensation, powers and duties shall be such as now or may be hereafter prescribed by law; they shall be elected at such times, in such numbers and for such periods, not exceeding six years, as may be prescribed by law. (Thus amended by act of 1890, chapter 255, and adopted by vote of people, November 3, 1890).

MISSOURI.**10. IX.**

There shall be elected by the qualified voters in each county, at the time and places of electing Representatives, a sheriff and coroner. They shall serve for two years, and until their successors be duly elected and qualified, unless sooner removed for malfeasance in office, and shall be eligible only four years in any period of six. Before entering on the duties of their office, they shall give security in the amount and in such manner as shall be prescribed by law. Whenever a county shall be hereafter established, the Governor shall appoint a sheriff and a coroner therein, who shall continue in office until the next succeeding general election, and until their successors shall be duly elected and qualified.

9. XIV.

The appointment of all officers, not otherwise directed by this Constitution, shall be made in such manner as may be prescribed by law.

Officers, How Chosen or Appointed.

Sec. Art.

MONTANA.**6. XVI.**

The Legislative Assembly may provide for the election or appointment of such other county, township, precinct and municipal officers as public convenience may require and their terms of office shall be as prescribed by law, not in any case to exceed two years, except as in this Constitution otherwise provided.

NEVADA.**32. IV.**

The Legislature shall have power to increase, diminish, consolidate or abolish the following county offices: County clerks, county recorders, auditors, sheriffs, district attorneys, county surveyors, public administrators, and superintendents of schools. The Legislature shall provide for their election by the people, and fix by law their duties and compensation. County clerks shall be ex officio clerks of the courts of record and of the boards of county commissioners in and for their respective counties.

OHIO.**1. X.**

The General Assembly shall provide, by law, for the election of such county and township officers as may be necessary.

OREGON.**7. VI.**

Such other county, township, precinct, and city officers as may be necessary, shall be elected or appointed in such manner as may be prescribed by law.

PENNSYLVANIA.**1. IV.**

County officers shall consist of sheriffs, coroners, prothonotaries, registers of wills, recorders of deeds, commissioners, treasurers, surveyors, auditors or controllers, clerks of the courts, district attorneys and such others as may from time to

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time be established by law; and no sheriff or treasurer shall be eligible for the term next succeeding the one for which he may be elected.

SOUTH DAKOTA.**6. IX.**

The Legislature shall provide by general law for such county, township and district officers as may be deemed necessary, and shall prescribe the duties and compensation of all county, township and district officers.

TENNESSEE.**4. VII.**

The election of all officers and the filling of all vacancies not otherwise directed or provided by this Constitution, shall be made in such manner as the Legislature shall direct.

TEXAS.**44. XVI.**

The Legislature shall prescribe the duties and provide for the election, by the qualified voters of each county in this State, of a county treasurer and a county surveyor, who shall have an office at the county seat, and hold their office for two years, and until their successors are qualified; and shall have such compensation as may be provided by law.

VIRGINIA.**18. VI.**

One city or town treasurer, whose duties shall be similar to those of county treasurer, and shall hold his office for a term of three years.

20. VI.

There shall be chosen by the electors of every city a mayor, who shall be the chief executive officer thereof, and who shall see that the duties of the various city officers are faithfully performed. He shall have power to investigate their acts, have access to all books and documents in their offices, and may ex-

Officers, How Chosen or Appointed.

Sec. Art.

amine them and their subordinates on oath. The evidence given by persons so examined shall not be used against them in any criminal proceedings. He shall also have power to suspend or remove such officers whether they be elected or appointed, for misconduct in office or neglect of duty, to be specified in the order of suspension or removal; but no such removal shall be made without reasonable notice to the officer complained of and an opportunity afforded him to be heard in his defense. All city, town and village officers whose election or appointment is not provided for by this Constitution shall be elected by the electors of such cities, towns and villages, or of some division thereof, or appointed by such authorities thereof as the General Assembly shall designate. All other officers whose election or appointment is not provided for by this Constitution, and all officers whose offices may be hereafter created by law, shall be elected by the people or appointed, as the General Assembly may direct. Members of common councils shall hold no other offices in cities, and no city officer shall hold a seat in the General Assembly. The General Assembly, at its first session after the adoption of this Constitution, shall pass such laws as may be necessary to give effect to the provisions of this article. General laws shall be passed for the organization and government of cities, and no special act shall be passed except in cases where, in the judgment of the General Assembly, the object of such act cannot be attained by general laws. Nothing in this act shall affect the power of the General As-

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sembly over quarantine, or in regard to the port of Norfolk, or the interest of the State in the lands under water and within the jurisdiction or boundaries of any city, or to regulate the wharves, piers or slips in any city. All laws or city ordinances in conflict with the provisions of the preceding sections shall be void from and after the adoption of this Constitution.

WISCONSIN.**4. VI.**

Sheriffs, coroners, registers of deeds, district attorneys, and all other county officers, except judicial officers, shall be chosen by the electors of the respective counties, once in every two years. Sheriffs shall hold no other office, and be ineligible for two years next succeeding the termination of their offices; they may be required by law to renew their security from time to time, and in default of giving such new security their offices shall be deemed vacant, but the county shall never be made responsible for the acts of the sheriff. The Governor may remove any officer in this section mentioned, giving to such a copy of the charges against him and an opportunity of being heard in his defense. All vacancies shall be filled by appointment, and the person appointed to fill a vacancy shall hold only for the unexpired term to which he shall be appointed and until his successor shall be elected and qualified.

WYOMING.**5. XII.**

The Legislature shall provide by law for the election of such county officers as may be necessary.

Duration of Office.

DURATION OF OFFICE.

- 1 Sec. 3. When the duration of any office is not provided
2 by this Constitution, it may be declared by law, and if not so
3 declared, such office shall be held during the pleasure of the
4 authority making the appointment.

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FLORIDA.

7. XVI.

The Legislature shall not create any office, the term of which shall be longer than four years.

WEST VIRGINIA.

1. IX.

The voters of each county shall elect a surveyor of lands, a prosecuting attorney, a sheriff, and one and not more than two assessors, who shall hold their respective offices for the term of four years.

2. IX.

There shall also be elected in each district of the county, by the voters

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thereof, one constable, and if the population of any district shall exceed twelve hundred, an additional constable, whose term of office shall be four years, and whose powers as such shall extend throughout the county. The assessors shall, with the advice and consent of the County Court, have the power to appoint one or more assistants. Coroners, overseers of the poor and surveyors of roads shall be appointed by the County Court. The foregoing officers, except the prosecuting attorneys, shall reside in the county and district for which they shall be respectively elected.

Time of Election.

TIME OF ELECTION.

- 1 Sec. 4. The time of electing all officers named in this
2 article shall be prescribed by law.

Vacancies in Office.

VACANCIES IN OFFICE.

1 Sec. 5. The Legislature shall provide for filling vacan-
2 cies in office, and in case of elective officers, no person
3 appointed to fill a vacancy shall hold his office by virtue of
4 such appointment longer than the commencement of the politi-
5 cal year next succeeding the first annual election after the
6 happening of the vacancy.

Sec. Art.**IOWA.****6. XI.**

In all cases of elections to fill vacancies in office occurring before the expiration of a full term, the person so elected shall hold for the residue of the unexpired term; and all persons appointed to fill vacancies in office shall hold until the next general election, and until their successors are elected and qualified.

OHIO.**18. III.**

Should the office of Auditor, Treasurer, Secretary, or Attorney-General, become vacant, for any of the causes specified in the fifteenth sec-

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tion of this article, the Governor shall fill the vacancy until the disability is removed, or a successor elected and qualified. Every such vacancy shall be filled by election, at the first general election that occurs more than thirty days after it shall have happened; and the person chosen shall hold the office for the full term fixed in the second section of this article.

OREGON.**9. VI.**

Vacancies in county, township, precinct and city offices shall be filled in such manner as may be prescribed by law.

POLITICAL YEAR.

- 1 Sec. 6. The political year and legislative term shall
 2 begin on the first day of January; and the Legislature shall,
 3 every year, assemble on the first Wednesday in January.

Sec. Art.**ALABAMA.****5. IV.**

The General Assembly shall meet biennially, at the capitol, in the Senate chamber and in the hall of the House of Representatives (except in cases of destruction of the capitol, epidemics, when the Governor may convene them at such place in the State as he may deem best), on the day specified in this Constitution, or on such other day as may be prescribed by law, and shall not remain in session longer than sixty days at the first session held under this Constitution, nor longer than fifty days at any subsequent session.

CALIFORNIA.**2. IV.**

The sessions of the Legislature shall commence at twelve o'clock M. on the first Monday after the first day of January next succeeding the election of its members, and after the election held in the year eighteen hundred and eighty shall be biennial, unless the Governor shall, in the interim, convene the Legislature by proclamation. No pay shall be allowed members for a longer time than sixty days, except for the first session after the adoption of this Constitution, for which they may be allowed pay for one hundred days. And no bill shall be introduced in either house after the expiration of ninety days from the commencement of the first session, nor after fifty days after the commencement of each succeeding session, without

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the consent of two-thirds of the members thereof.

CONNECTICUT.**2. III.**

There shall be one stated session of the General Assembly, to be holden in each year, alternately at Hartford and New Haven, on the first Wednesday of May (altered by amendments of 1872, 1875, 1876 and 1884), and at such other times as the General Assembly shall judge necessary; the first session to be holden at Hartford; but the person administering the office of Governor may on special emergencies, convene the General Assembly at either of said places, at any other time. And in case of danger from the prevalence of contagious diseases in either of said places, or other circumstances, the person administering the office of Governor may by proclamation convene said Assembly at any other place in this State.

COLORADO.**7. V.**

The General Assembly shall meet at 12 o'clock, noon, on the first Wednesday in November, A. D. 1876; and at 12 o'clock, noon, on the first Wednesday in January, A. D. 1879, and at 12 o'clock, noon, on the first Wednesday in January of each alternate year forever thereafter, and at other times when convened by the Governor. The term of service of the members thereof shall begin on the first Wednesday of Novem-

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ber next after their election, until otherwise provided by law.

DELAWARE.**4. II.**

The General Assembly shall meet on the first Tuesday of January, biennially, unless sooner convened by the Governor.

The first meeting of the General Assembly under this amended Constitution, shall be on the first Tuesday of January, in the year of our Lord, one thousand eight hundred and thirty-three, which shall be the commencement of biennial sessions.

FLORIDA.**2. III.**

The regular sessions of the Legislature shall be held biennially, commencing on the first Tuesday after the first Monday in April, A. D., 1887, and on the corresponding day of every second year thereafter, but the Governor may convene the same in extra session by his proclamation. Regular sessions of the Legislature may extend to sixty days, but no special session convened by the Governor shall exceed twenty days.

GEORGIA.**4. III.**

Par. III. The first meeting of the General Assembly, after the ratification of this Constitution, shall be on the first Wednesday in November, 1878, and biennially thereafter, on the same day, until the day shall be changed by law. But nothing herein contained shall be construed to prevent the Governor from calling an extra session of the General Assembly before the first Wednesday in November, 1878, if, in his opinion, the public good shall require it.

IDAHO.**8. II.**

The sessions of the Legislature shall, after the first session thereof, be held biennially, at the capitol of

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the State, commencing on the first Monday after the first day of January, and every second year thereafter, unless a different day shall have been appointed by law, and at other times when convened by the Governor.

INDIANA.**9. IV.**

The sessions of the General Assembly shall be held biennially at the capitol of the State, commencing on the Thursday next after the first Monday of January, in the year one thousand eight hundred and fifty-three, and on the same day of every second year thereafter, unless a different day or place shall have been appointed by law. But if, in the opinion of the Governor, the public welfare shall require it, he may, at any time, by proclamation, call a special session.

IOWA.**2. III.**

The sessions of the General Assembly shall be biennial, and shall commence on the second Monday in January next ensuing the election of its members; unless the Governor of the State shall, in the meantime, convene the General Assembly by proclamation.

KANSAS.**25. II.**

All sessions of the Legislature shall be held at the State capitol, and beginning with the session of eighteen hundred and seventy-seven, all regular sessions shall be held once in two years, commencing on the second Tuesday of January of each alternate year thereafter.

LOUISIANA.

Art. 263. The General Assembly first elected under this Constitution shall convene in the city of New Orleans upon the second Monday in January next, 1880, after the elec-

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tion, and the Governor and Lieutenant-Governor elected shall be duly installed in office during the first week of the session, and before it shall be competent for the said General Assembly to proceed with the transaction of business beyond their own organization.

MAINE.

1. IV.

The Legislature shall convene on the first Wednesday of January, annually, and shall have full power to make and establish all reasonable laws and regulations for the defense and benefit of the people of this State, not repugnant to this Constitution, nor to that of the United States.

MARYLAND.

14. III.

The General Assembly shall meet on the first Wednesday of January, eighteen hundred and sixty-eight, and on the same day in every second year thereafter, and at no other time, unless convened by proclamation of the Governor.

Art. 11. That Annapolis be the place of meeting of the Legislature, and the Legislature ought not to be convened or held at any other place but from evident necessity.

MICHIGAN.

33. IV.

The Legislature shall meet at the seat of government on the first Wednesday in January, in the year one thousand eight hundred and sixty-one, and on the first Wednesday of January in every second year thereafter, and at no other place or time, unless as provided in the Constitution of the State, and shall adjourn without day at such time as the Legislature shall fix by concurrent resolution.

MINNESOTA.

9. VII.

The official year for the State of Min-

Sec. Art.

nesota shall commence on the first Monday in January in each year, and all terms of office shall terminate at that time; and the general election shall be held on the first Tuesday after the first Monday in November. The first general election for State and county officers, except judicial officers, after the adoption of this amendment, shall be held in the year A. D. one thousand eight hundred and eighty-four (1884), and thereafter the general election shall be held biennially. All State, county or other officers elected at any general election, whose term of office would otherwise expire on the first Monday of January, A. D., one thousand eight hundred and eighty-six (1886), shall hold and continue in such offices respectively until the first Monday in January, one thousand, eight hundred and eighty-seven (1887).

6. VIII.

The first session of the Legislature of the State of Minnesota shall commence on the first Wednesday of December next, and shall be held at the capitol, in the city of St. Paul.

MISSISSIPPI.

257. XIV.

The political year of the State of Mississippi shall commence on the first Monday of January in each year.

MONTANA.

6. V.

The Legislative Assembly (except the first), shall meet at the seat of government at twelve o'clock, noon, on the first Monday of January, next succeeding the general election provided by law, and at twelve o'clock, noon, on the first Monday of January, of each alternate year thereafter, and at other times when convened by the Governor.

The term of service of the members thereof shall begin the next day

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after their election, until otherwise provided by law: Provided, That the first Legislative Assembly shall meet at the seat of government upon the proclamation of the Governor after the admission of the State into the Union, upon a day to be named in said proclamation, and which shall not be more than fifteen nor less than ten days after the admission of the State into the Union.

NEVADA.

29. IV.

The first regular session of the Legislature under this Constitution, may extend to ninety days, but no subsequent regular session shall exceed sixty days, nor any special session convened by the Governor, exceed twenty days.

NEW HAMPSHIRE.

Art. 8. The Senate and House shall assemble biennially, on the first Wednesday of (January) and at such other times as they may judge necessary, and shall dissolve and be dissolved seven days next preceding the said first Wednesday of (January) biennially, and shall be styled the General Court of New Hampshire.

Art. 33. And, that there may be a due meeting of Senators on the first Wednesday of (January), biennially, the Governor and a majority of the council for the time being shall, as soon as may be, examine the returned copies of such records, and fourteen days before the first Wednesday of (January), he shall issue his summons to such persons as appear to be chosen senators by a majority of votes to attend and take their seats on that day: Provided, nevertheless, That, for the first year, the said returned copies shall be examined by the president and a majority of the council then in office; and the said president shall, in like manner,

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notify the persons elected to attend and take their seats accordingly.

NORTH DAKOTA.

53. II.

The Legislative Assembly shall meet at the seat of government at twelve o'clock, noon, on the first Tuesday after the first Monday in January, in the year next following the election of the members thereof.

55. II.

The sessions of the Legislative Assembly shall be biennial, except as otherwise provided in the Constitution.

OHIO.

25. II.

All regular sessions of the General Assembly shall commence on the first Monday in January biennially.

OREGON.

10. IV.

The sessions of the Legislative Assembly shall be held biennially at the capital of the State, commencing on the second Monday of September, in the year eighteen hundred and fifty-eight, and on the same day of every second year thereafter, unless a different day shall be appointed by law.

PENNSYLVANIA.

4. II.

The General Assembly shall meet at twelve o'clock, noon, on the first Tuesday of January every second year and at other times when convened by the Governor, but shall hold no adjourned annual session after the year one thousand eight hundred and seventy-eight. In case of a vacancy in the office of United States Senator from this Commonwealth, in a recess between sessions, the Governor shall convene the two houses, by proclamation on notice not exceeding sixty days; to fill the same.

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RHODE ISLAND.**3. IV.**

There shall be two sessions of the General Assembly holden annually: one at Newport on the first Tuesday of May, for the purpose of election and other business; the other on the last Monday of October, which last session shall be holden at South Kingstown once in two years, and the intermediate years alternately at Bristol and East Greenwich; and an adjournment from the October session shall be holden annually at Providence.

Art. III.—There shall be one session of the General Assembly, holden annually, commencing on the last Tuesday in May, at Newport, and an adjournment from the same shall be holden annually at Providence.

Adopted November, 1854.

SOUTH CAROLINA.**12. II.**

The first session of the General Assembly after the ratification of this Constitution shall be convened on the second Tuesday of May of the present year, in the city of Columbia (which shall remain the seat of government until otherwise determined by the concurrence of two-thirds of both branches of the whole representation), and thereafter on the fourth Tuesday in November annually. Should the casualties of war or contagious disease render it unsafe to meet at the seat of government, then the Governor may, by proclamation, appoint a more secure and convenient place of meeting.

SOUTH DAKOTA.**7. III.**

The Legislature shall meet at the seat of government on the first Tuesday after the first Monday of January at twelve o'clock M., in the year ensuing the election of members thereof, and at no other

Sec. Art.

time except as provided by the Constitution.

TENNESSEE.**8. II.**

The first session of the General Assembly shall commence on the first Monday in October, 1871, at which time the term of service of the members shall commence, and expire on the first Tuesday of November, 1872, at which session the Governor elected on the second Tuesday in November, 1870, shall be inaugurated; and forever thereafter, the General Assembly shall meet on the first Monday in January next ensuing the election, at which session thereof the Governor shall be inaugurated.

TEXAS.**5. III.**

The Legislature shall meet every two years, at such time as may be provided by law, and at other times when convened by the Governor.

WEST VIRGINIA.**18. VI.**

The Legislature shall assemble at the seat of government biennially, and not oftener, unless convened by the Governor. The first session of the Legislature, after the adoption of this Constitution, shall commence on the third Tuesday of November, 1872; and the regular, biennial session of the Legislature shall commence on the second Wednesday of January, 1875, and every two years thereafter on the same day.

WISCONSIN.**11. IV.**

The Legislature shall meet at the seat of government, at such time as shall be provided by law, once in each year, and no oftener, unless convened by the Governor.

1. XIII.

The political year for the State of Wisconsin shall commence on the first Monday in January in each

Political Year.

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year, and the general elections shall be holden on the Tuesday next succeeding the first Monday in November. The first general election for all State and county officers, except judicial officers, after the adoption of this amendment, shall be holden in the year A. D. eighteen hundred and eighty-four, and thereafter the general election shall be held biennially. All State, county or other officers elected at the general election in the year eighteen hundred and eighty-one, and whose term of office would otherwise expire on the first Monday of January in the year eighteen hundred and eighty-four, shall hold and continue in such office, respectively, until the first Monday in January in the year eighteen hundred and eighty-five.

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11.

The Legislature shall meet at the seat of government at such time as shall be provided by law, once in two years and no oftener, unless convened by the Governor in special session, and when so convened no business shall be transacted except as shall be necessary to accomplish the special purposes for which it was convened.

7. III.

The Legislature shall meet at the seat of government at twelve o'clock, noon, on the second Tuesday of January next succeeding the general election provided by law, and at twelve o'clock, noon, on the second Tuesday of January of each alternate year thereafter, and at other times when convened by the Governor.

Removal From Office.

REMOVAL FROM OFFICE.

1 Sec. 7. Provision shall be made by law for the removal
2 for misconduct or malversation in office of all officers, except
3 judicial, whose powers and duties are not local or legislative
4 and who shall be elected at general elections, and also for
5 supplying vacancies created by such removal.

WHEN OFFICE DEEMED VACANT.

- 1 Sec. 8. The Legislature may declare the cases in which
2 any office shall be deemed vacant when no provision is made
3 for that purpose in this Constitution.

Sec. Art.**KENTUCKY.****36.**

The first General Assembly, the members of which shall be elected under this Constitution, shall meet on the first Tuesday after the first Monday in January, eighteen hundred and ninety-four, and thereafter the General Assembly shall meet on the same day every second year, and its sessions shall be held at the seat of government, except in case of war, insurrection or pestilence,

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when it may, by proclamation of the governor, assemble, for the time being, elsewhere.

VERMONT.**1.**

The General Assembly shall meet on the first Wednesday of October, biennially; the first election shall be on the first Tuesday of September, A. D. 1870; the first session of the General Assembly on the first Wednesday of October, A. D. 1870.

Compensation of Certain Officers.

COMPENSATION OF CERTAIN OFFICERS.

1 Sec. 9. No officer whose salary is fixed by the Constitu-
2 tion shall receive any additional compensation. Each of the
3 other State officers named in the Constitution shall, during his
4 continuance in office, receive a compensation, to be fixed by
5 law, which shall not be increased or diminished during the
6 term for which he shall have been elected or appointed; nor
7 shall he receive to his use any fees or perquisites of office or
8 other compensation.

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ALABAMA.

25. V.

The State Auditor, State Treasurer, and Secretary of State, shall not after the expiration of the terms of those now in office, receive to their use any fees, costs, perquisites of office, or compensation, other than their salaries as prescribed by law; and all fees that may be payable by law, for any service performed by either of such officers, shall be paid in advance into the State Treasury.

GEORGIA.

2. V.

Par. V. The Treasurer shall not be allowed directly or indirectly, to receive any fee, interest or reward from any person, bank or corporation for the deposit or use, in any manner, of the public funds; and the General Assembly shall enforce this provision by suitable penalties.

2. V.

Par. VII. The Secretary of State, the Comptroller-General and the Treasurer shall not be allowed any fee, perquisite or compensation other

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than their salaries, as prescribed by law, except their necessary expenses when absent from the seat of government on business for the State.

IDAHO.

27. V.

The Legislature may by law diminish or increase the compensation of any or all the following officers, to wit: Governor, Lieutenant-Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of Immigration and Labor, justices of the Supreme Court, and judges of the district courts and district attorneys; but no diminution or increase shall affect the compensation of the officer then in office during his term: Provided, however, that the Legislature may provide for the payment of actual and necessary expenses of the Governor, Secretary of State, Attorney-General and Superintendent of Public Instruction incurred while in performance of official duty.

Compensation of Certain Officers.

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ILLINOIS.**10. X.**

The county board, except as provided in section nine of this article, shall fix the compensation of all county officers, with the amount of their necessary clerk hire, stationery, fuel and other expenses, and in all cases where fees are provided for, said compensation shall be paid only out of, and shall in no instance exceed the fees actually collected; they shall not allow either of them more per annum than fifteen hundred dollars, in counties not exceeding twenty thousand inhabitants; twenty-five hundred dollars in counties containing thirty thousand and not exceeding fifty thousand inhabitants; three thousand dollars, in counties containing fifty thousand and not exceeding seventy thousand inhabitants; thirty-five hundred dollars, in counties containing seventy thousand and not exceeding one hundred thousand inhabitants; and four thousand dollars, in counties containing over one hundred thousand and not exceeding two hundred and fifty thousand inhabitants; and not more than one thousand dollars additional compensation for each additional one hundred thousand inhabitants: Provided, That the compensation of no officer shall be increased or diminished during his term of office. All fees or allowances by them received, in excess of their said compensation, shall be paid into the county treasury.

KANSAS.**15. I.**

The officers mentioned in this article shall, at stated times, receive for their services a compensation to be established by law, which shall neither be increased nor diminished during the period for which they shall have been elected.

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KENTUCKY.**161.**

The compensation of any city, county, town or municipal officer shall not be changed after his election or appointment, or during his term of office; nor shall the term of any such officer be extended beyond the period for which he may have been elected or appointed.

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The salaries of public officers shall not be changed during the terms for which they were elected; but it shall be the duty of the General Assembly to regulate, by a general law, in what cases and what deductions shall be made for neglect of official duties. This section shall apply to members of the General Assembly also.

LOUISIANA.

Art. 169. No officer whose salary is fixed by the Constitution shall be allowed any fees or perquisites of office, except where otherwise provided for by this Constitution.

MICHIGAN.**20.**

The salaries or compensation of all persons holding office under the present Constitution shall continue to be the same as now provided by law, until superseded by their successors elected or appointed under this Constitution; and it shall not be lawful hereafter for the Legislature to increase or diminish the compensation of any officer during the term for which he is elected or appointed.

MISSISSIPPI.**47. IV.**

No member of the Legislature shall take any fee or reward, or be counsel in any measure pending before either house of the Legislature, under penalty of forfeiting his seat, upon proof thereof to the satisfaction of the house of which he is a member.

Compensation of Certain Officers.

Sec. Art.

MISSOURI.**24. V.**

The officers named in this article shall receive for their services a salary to be established by law, which shall not be increased or diminished during their official terms; and they shall not, after the expiration of the terms of those in office at the adoption of this Constitution, receive to their own use any fees, costs, perquisites of office or other compensation. All fees that may hereafter be payable by law for any service performed by any officer provided for in this article shall be paid in advance into the State treasury.

8. XIV.

The compensation or fees of no State county or municipal officer shall be increased during his term of office; nor shall the term of any office be extended for a longer period than that for which such officer was elected or appointed.

MONTANA.**8. V.**

No member of either house shall, during the term for which he shall have been elected, receive any increase of salary or mileage under any law passed during such term.

NEVADA.**9. XV.**

The Legislature may at any time provide by law for increasing or diminishing the salaries or compensation of any of the officers whose salary or compensation is fixed in this Constitution: Provided, No such change of salary or compensation shall apply to any officer during the term for which he may have been elected.

NEW HAMPSHIRE.**7.**

No member of the General Court shall take fees, be of counsel, or act as advocate in any cause before either branch of the Legislature;

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and, upon due proof thereof, such member shall forfeit his seat in the Legislature.

OREGON.**7. XV.**

No State officers or members of the Legislative Assembly shall, directly or indirectly, receive a fee, or be engaged as counsel, agent, or attorney in the prosecution of any claim against this State.

RHODE ISLAND.**4. IV.**

No member of the General Assembly shall take any fee, or be of counsel, in any case pending before either house of the General Assembly, under penalty of forfeiting his seat, upon proof thereof to the satisfaction of the house of which he is a member.

WASHINGTON.**25. III.**

No person except a citizen of the United States and a qualified elector of this State, shall be eligible to hold any State office, and the State Treasurer shall be ineligible for the term succeeding that for which he was elected. The compensation for State officers shall not be increased or diminished during the term for which they shall have been elected. The Legislature may, in its discretion, abolish the offices of the Lieutenant-Governor, Auditor and Commissioner of Public Lands.

8. XI.

The Legislature shall fix the compensation by salaries of all county officers, and of constables in cities having a population of five thousand and upwards; except that public administrators, surveyors and coroners may or may not be salaried officers. The salary of any county, city, town or municipal officer shall not be increased or diminished after his election, or during his term of office; nor shall th

Compensation of Certain Officers.

Sec. Art.

term of any such officer be extended beyond the period for which he is elected or appointed.

WYOMING.**9. III.**

No member of either house shall, during the term for which he was elected, receive any increase of salary or mileage under any law passed during that term.

32. III.

Except as otherwise provided in this

Sec. Art.

Constitution, no law shall extend the term of any public officer or increase or diminish his salary or emolument after his election or appointment; but this shall not be construed to forbid the Legislature from fixing the salaries or emoluments of those officers first elected or appointed under this Constitution, if such salaries or emoluments are not fixed by its provisions.

General Provisions.

GENERAL PROVISIONS.

Sec. Art.

IDAHO.

10. XVIII.

The board of county commissioners shall consist of three members, whose term of office shall be two years.

11. XVIII.

County, township and precinct officers shall perform such duties as shall be prescribed by law.

ILLINOIS.

6. X.

At the first election of county judges under this Constitution, there shall be elected in each of the counties in this State, not under township organization, three officers, who shall be styled, "The Board of County Commissioners," who shall hold sessions for the transaction of county business as shall be provided by law. One of the said commissioners shall hold his office for one year, one for two years, and one for three years to be determined by lot; and every year thereafter one such officer shall be elected in each of said counties for the term of three years.

7. X.

The county affairs of Cook county shall be managed by a board of commissioners of fifteen persons, ten of whom shall be elected from the city of Chicago and five from towns outside of said city, in such manner as may be provided by law.

INDIANA.

4. VI.

No person shall be elected or appointed as a county officer, who shall be an elector of the county; nor any one who shall not have been an inhabitant thereof during one year next preceding his appointment, if the county shall have been so long

Sec. Art.

organized; but if the county shall not have been so long organized, then within the limits of the county or counties out of which the same shall have been taken.

6. VI.

All county, township, and town officers shall reside within their respective counties, townships, and towns, and shall keep their respective offices at such places therein, and perform such duties as may be directed by law.

3. IX.

The county boards shall have power to provide farms as an asylum for those persons who, by reason of age, infirmity, or other misfortune, have claims upon the sympathies and aid of society.

KENTUCKY.

101.

Constables shall possess the same qualifications as sheriffs, and their jurisdiction shall be co-extensive with the counties in which they reside. Constables now in office shall continue in office until their successors are elected and qualified.

169.

The mayor or chief executive, police judges, members of legislative boards or councils of towns and cities shall be elected by the qualified voters thereof: Provided, the mayor or chief executive and police judges of the towns of the fourth, fifth and sixth classes may be appointed or elected as provided by law. The terms of office of mayors or chief executives and police judges shall be for four years, and until their successors shall be qualified, and members of legislative boards two years. When any city of the first or second class is divided into

General Provisions.

Sec. Art.

wards or districts, members of legislative boards shall be elected at large by the qualified voters of said city, but so selected that an equal proportion thereof shall reside in each of the said wards or districts; but when in any city of the first, second or third class, there are two legislative boards, the less numerous shall be selected from and elected by the voters at large of said city; but other officers of towns or cities shall be elected by the qualified voters therein, or appointed by the local authorities thereof, as the General Assembly may, by a general law, provide; but when elected by the voters of a town or city, their terms of office shall be four years, and until their successors shall be qualified. No mayor or chief executive or fiscal officer of any city of the first or second class, after the expiration of the term of office to which he has been elected under this Constitution, shall be eligible for the succeeding term. "Fiscal officer" shall not include an auditor or assessor, or any other officer whose chief duty is not the collection or holding of public moneys. The General Assembly shall prescribe the qualifications of all officers of towns and cities, the manner in and causes for which they may be removed from office, and how vacancies in such office may be filled.

LOUISIANA.

Art. 119. Sheriffs shall receive compensation from the parish for their services in criminal matters (the keeping of prisoners, conveying convicts to the penitentiary, insane persons to the insane asylum and service of process from another parish, and service of process or the performance of any duties beyond the limits of his own parish excepted), not to exceed five hundred dollars per annum for each representative

Sec. Art.

the parish may have in the House of Representatives.

The compensation of sheriffs as tax collectors shall not exceed five per cent on the amount collected and paid over: Provided, that he shall not be discharged as tax collector until he makes proof that he has exhausted the legal remedies to collect the taxes.

MARYLAND.

8. V.

The sheriffs of the several counties of this State, and of the city of Baltimore, shall give notice of the several elections authorized by this Constitution, in the manner prescribed by existing laws for elections to be held in this State, until said laws shall be changed.

9. V.

The State's Attorney shall perform such duties and receive such fees and commissions as are now or may hereafter be prescribed by law, and if any State's Attorney shall receive any other fee or reward than such as is or may be allowed by law, he shall, on conviction thereof, be removed from office: Provided, that the State's Attorney for Baltimore city shall have power to appoint one deputy, at a salary of not more than fifteen hundred dollars per annum, to be paid by the State's Attorney out of the fees of his office, as has heretofore been practiced.

10. V.

No person shall be eligible to the office of State's Attorney who has not been admitted to practice law in this State, and who has not resided for at least two years in the county or city in which he may be elected.

12. V.

The State's Attorney in each county, and the city of Baltimore, shall have authority to collect and give receipt, in the name of the State, for

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Sec. Art.

such sums of money as may be collected by him, and forthwith make return of and pay over the same to the proper accounting officer. And the State's Attorney of each county, and of the city of Baltimore, before he shall enter on the discharge of his duties, shall execute a bond to the State of Maryland for the faithful performance of his duties, in the penalty of ten thousand dollars, with two or more sureties, to be approved by the judge of the court having criminal jurisdiction in said counties or city.

MONTANA.**6. XIX.**

All county officers shall keep their offices at the county seats of their respective counties.

NORTH CAROLINA.**8. VII.**

It shall be the duty of the commissioners first elected in each county to divide the same into convenient districts, and to report the same to the General Assembly before the first day of January, 1869.

NORTH DAKOTA.**171. X.**

In any county that shall have adopted a system of government by the chairmen of the several township boards, the question of continuing the same may be submitted to the electors at such county at a general election in such a manner as may be provided by law, and if a majority of all the votes cast upon such question shall be against said system of government, then such system shall cease in said county, and the affairs of said county shall then be transacted by a board of county commissioners, as is now provided by the laws of the Territory of Dakota.

172. X.

Until the system of county government by the chairman of the several

Sec. Art.

township boards is adopted by any county the fiscal affairs of said county shall be transacted by a board of county commissioners. Said board shall consist of no less than three and not more than five members, whose term of office shall be prescribed by law. Said board shall hold sessions for the transaction of county business as shall be provided by law.

SOUTH CAROLINA.**2. X.**

There shall be elected biennially in each county, by the qualified electors thereof, one school commissioner, said commissioners to constitute a State Board of Education, of which the State Superintendent shall, by virtue of his office, be chairman. The powers, duties and compensation of the members of said board shall be determined by law.

TEXAS.**16. VIII.**

The sheriff of each county, in addition to his other duties, shall be the collector of taxes therefor. But in counties having ten thousand inhabitants, to be determined by the last preceding census of the United States, a collector of taxes shall be elected, to hold office for two years and until his successor shall be elected and qualified.

WASHINGTON.**6. XI.**

The board of county commissioners in each county shall fill all vacancies occurring in any county, township, precinct or road district office of such county by appointment, and officers thus appointed shall hold office till the next general election, and until their successors are elected and qualified.

14. XXVII.

All district, county and precinct officers, who may be in office at the time of the adoption of this Consti-

General Provisions.

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tution, and the county clerk of each county elected at the first election, shall hold their respective offices until the second Monday of January, A. D. 1891, and until such time as their successors may be elected and qualified, in accordance with the provisions of this Constitution; and the official bonds of all such officers shall continue in full force and effect as though this Constitution had not been adopted. And such officers shall continue to receive the compensation now provided, until the same be changed by law.

WEST VIRGINIA.**4. IX.**

The presidents of the county courts, the justices of the peace, sheriffs, prosecuting attorneys, clerks of the circuit and of the county courts, and all other county officers shall be subject to indictment for malfeasance, misfeasance, or of neglect of official duty, and on conviction thereof their offices shall become vacant.

5. IX.

The Legislature shall provide for commissioning such of the officers herein mentioned as it may deem proper, not provided for in this Constitution, and may require any class of them to give bond with security for the faithful discharge of their respective offices.

6.

It shall further provide for the compensation, the duties and responsibilities of such officers, and may provide for the appointment of their deputies and assistants by general laws.

WYOMING.**3. XIV.**

The salaries of county officers shall be

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fixed by law within the following limits, to-wit: In counties having an assessed valuation not exceeding two millions (\$2,000,000) of dollars, the sheriff shall be paid not more than fifteen hundred dollars per year. The county clerk shall not be paid more than twelve hundred (\$1,200) dollars per year. The county and prosecuting attorney shall not be paid more than twelve hundred (\$1,200) dollars per year. The county treasurer shall not be paid more than one thousand (\$1,000) dollars per year. The county treasurer shall not be paid more than one thousand (\$1,000) dollars per year. The county assessor shall not be paid more than one thousand (\$1,000) dollars per year. The county superintendent of schools shall not be paid more than five hundred (\$500) dollars per year.

In counties having an assessed valuation of more than two millions (\$2,000,000) of dollars and not exceeding five millions (\$5,000,000) of dollars, the sheriff shall not be paid more than two thousand (\$2,000) dollars per year. The county clerk shall not be paid more than eighteen hundred (\$1,800) dollars per year. The county treasurer shall not be paid more than eighteen hundred (\$1,800) dollars per year. The county assessor shall not be paid more than twelve hundred (\$1,200) dollars per year. The county and prosecuting attorney shall not be paid more than fifteen hundred (\$1,500) dollars per year. The county superintendent of schools shall not be paid more than seven hundred and fifty (\$750) dollars per year.

Militia.

MILITIA.

ARTICLE XI.

- 1 Section 1. All able-bodied male citizens between the ages
 2 of eighteen and forty-five years; who are residents of the State,
 3 shall constitute the militia, subject however to such exemptions
 4 as are now or may be hereafter created by the laws of the
 5 United States, or by the Legislature of this State.

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ALABAMA.

1. XII.

All able-bodied male inhabitants of this State, between the ages of eighteen years and forty-five years, who are citizens of the United States, or have declared their intention to become such citizens, shall be liable to military duty in the militia of the State.

2. XII.

The General Assembly, in providing for the organization, equipment and discipline of the militia, shall conform as nearly as practicable to the regulations for the government of the armies of the United States.

ARKANSAS.

1. XI.

The militia shall consist of all able-bodied male persons, residents of the State, between the ages of eighteen and forty-five years, except such as may be exempted by the laws of the United States or this State, and shall be organized, officered, armed and equipped and trained in such manner as may be provided by law.

COLORADO.

1. XVII.

The militia of the State shall

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consist of all able-bodied male residents of the State between the ages of eighteen and forty-five years, except such persons as may be exempted by the laws of the United States or of the State.

5. XVII.

No person having conscientious scruples against bearing arms shall be compelled to do militia duty in time of peace. Provided, Such person shall pay an equivalent for such exemption.

FLORIDA.

1. XIV.

All able-bodied male inhabitants of the State, between the ages of eighteen and forty-five years, that are citizens of the United States, or have declared their intention to become citizens thereof, shall constitute the militia of the State; but no male citizen of whatever religious creed or opinion shall be exempt from military duty, except upon such conditions as may be prescribed by law.

GEORGIA.

1. X.

Par. I. A well regulated militia being essential to the peace and

Militia.

Sec. Art.

security of the State, the General Assembly shall have authority to provide by law how the militia of this State shall be organized, officered, trained, armed and equipped, and of whom it shall consist.

IDAHO.

1. XIV.

All able-bodied male persons, residents of this State, between the ages of eighteen and forty-five years, shall be enrolled in the militia, and perform such military duty as may be required by law; but no person having conscientious scruples against bearing arms, shall be compelled to perform such duty in time of peace. Every person claiming such exemption from service shall in lieu thereof pay into the school fund of the county of which he may be a resident, an equivalent in money, the amount and manner of payment to be fixed by law.

2. XIV.

The Legislature shall provide by law for the enrollment, equipment and discipline of the militia, to conform as nearly as practicable to the regulations for the government of the armies of the United States, and pass such laws to promote volunteer organizations as may afford them effectual encouragement.

ILLINOIS.

1. XII.

The militia of the State of Illinois shall consist of all able-bodied male persons residing in the State between the ages of eighteen and forty-five, except such persons as now are or hereafter may be exempted by the laws of the United States or of this State.

Sec. Art.

2. XII.

The General Assembly, in providing for the organization, equipment and discipline of the militia, shall conform as nearly as practicable to the regulations for the government of the armies of the United States.

6. XII.

No person having conscientious scruples against bearing arms shall be compelled to do militia duty in time of peace: Provided, Such person shall pay an equivalent for such exemption.

INDIANA.

1. XII.

The militia shall consist of all able-bodied white male persons between the ages of eighteen and forty-five years, except such as may be exempted by the laws of the United States, or of this State; and shall be organized, officered, armed, equipped and trained in such manner as may be provided by law.

6. XII.

No person conscientiously opposed to bearing arms shall be compelled to do militia duty; but such person shall pay an equivalent for exemption; the amount to be prescribed by law.

IOWA.

1. VI.

The militia of this State shall be composed of all able-bodied (white) male citizens between the ages of eighteen and forty-five years, except such as are or may hereafter be exempt by the laws of the United States or of this State, and shall be armed, equipped and trained as the General Assembly may provide by law.

(Amended by striking out the

Militia.**Sec. Art.**

word "white" at the general election in 1868.)

2. VI.

No person or persons conscientiously scrupulous of bearing arms shall be compelled to do military duty in time of peace: Provided That such person or persons shall pay an equivalent for such exemption in the same manner as other citizens.

KANSAS.**1. VIII.**

The militia shall be composed of all able-bodied male citizens between the ages of twenty-one and forty-five years, except such as are exempted by the laws of the United States or of this State; but all citizens of any religious denomination whatever who, from scruples of conscience, may be averse to bearing arms, shall be exempted therefrom, upon such conditions as may be prescribed by law.

2. VIII.

The Legislature shall provide for organizing, equipping and disciplining the militia, in such manner as it shall deem expedient not incompatible with the laws of the United States.

KENTUCKY.**219.**

The militia of the Commonwealth of Kentucky shall consist of all able-bodied male residents of the State between the ages of eighteen and forty-five years, except such persons as may be exempted by the laws of the State or of the United States.

220.

The General Assembly shall provide for maintaining an organized militia; and may exempt from military service persons having conscientious scruples against bearing arms; but such person shall pay an equivalent for such exemption.

Sec. Art.**LOUISIANA.**

Art. 181. The General Assembly shall have authority to provide by law how the militia of this State shall be organized, officered, trained, armed and equipped, and of whom it shall consist.

Art. 183. The General Assembly may exempt from military services those who belong to religious societies whose tenets forbid them to bear arms: Provided, A money equivalent for these services shall be exacted. The Governor shall have power to call the militia into active service for the preservation of law and order, or when the public service may require it: Provided, That the police force of any city, town or parish shall not be organized or used as a part of the State militia.

MAINE.**5. VII.**

Persons of the denominations of Quakers and Shakers, Justices of the Supreme Judicial Court and ministers of the gospel may be exempted from military duty, but no other person of the age of eighteen and under the age of forty-five years, excepting officers of the militia who have been honorably discharged, shall be so exempted, unless he shall pay an equivalent, to be fixed by law.

MARYLAND.**1. IX.**

The General Assembly shall make, from time to time, such provision for organizing, equipping and disciplining the militia as the exigency may require, and pass such laws to promote volunteer militia organizations as may afford them effectual encouragement.

Art. 28. That a well regulated militia is the proper and natural defense of a free government.

Militia.

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MICHIGAN.

1. XVII.

The militia shall be composed of all able-bodied male citizens between the ages of eighteen and forty-five years, except such as are exempted by the laws of the United States or of this State; but all such citizens of any religious denomination whatever, who, from scruples of conscience, may be averse to carrying arms, shall be excused therefrom, upon such conditions as shall be prescribed by law.

2. XVII.

The Legislature shall provide by law for organizing, equipping and disciplining the militia, in such manner as they shall deem expedient, not incompatible with the laws of the United States.

MINNESOTA.

1. XII.

It shall be the duty of the Legislature to pass such laws for the organization, discipline and service of the militia of the State as may be deemed necessary.

MISSISSIPPI.

214. IX.

All able-bodied male citizens of the State between the ages of eighteen and forty-five years shall be liable to military duty in the militia of this State, in such manner as the Legislature may provide.

215. IX.

The Legislature shall provide for the organizing, arming, equipping and discipline of the militia, and for paying the same when called into active service.

221. IX.

The Legislature is hereby required to make an annual appropriation for the efficient support and maintenance of the Mississippi National Guard, which shall consist of not less than one hun-

Sec. Art.

dred men for each Senator or Representative to which this State may be entitled in the Congress of the United States; but no part of such funds shall be used in the payment of said guard except when in actual service.

MISSOURI.

1. XIII.

All able-bodied male inhabitants of this State between the ages of eighteen and forty-five years, who are citizens of the United States, or have declared their intention to become such citizens, shall be liable to military duty in the militia of this State: Provided, That no person who is religiously scrupulous of bearing arms can be compelled to do so, but may be compelled to pay an equivalent for military service in such manner as shall be prescribed by law.

2. XIII.

The General Assembly, in providing for the organization, equipment and discipline of the militia, shall conform, as nearly as practicable, to the regulations for the government of the armies of the United States.

MONTANA.

1. XIV.

The militia of the State of Montana shall consist of all able-bodied male citizens of the State between the ages of eighteen (18) and forty-five (45) years inclusive, except such persons as may be exempted by the laws of the State or of the United States.

2. XIV.

The Legislative Assembly shall provide by law for the organization, equipment, and discipline of the militia and shall make rules and regulations for the

Militia.

Sec. Art.

government of the same. The organization shall conform as nearly as practicable to the regulations for the government of the armies of the United States.

3. XIV.

The Legislative Assembly shall provide by law for maintaining the militia by appropriations from the treasury of the State.

NEBRASKA.

1. XV.

The Legislature shall determine what persons shall constitute the militia of the State, and may provide for organizing and disciplining the same.

NEVADA.

1. XII.

The Legislature shall provide by law for organizing and disciplining the militia of this State, for the effectual encouragement of volunteer corps, and the safekeeping of the public arms.

NEW HAMPSHIRE.

13.

No person who is conscientiously scrupulous about the lawfulness of bearing arms shall be compelled thereto, provided he will pay an equivalent.

24.

A well-regulated militia is the proper, natural, and such defense of a State.

NEW JERSEY.

1. VII.

The Legislature shall provide by law for enrolling, organizing and arming the militia.

NORTH CAROLINA.

1. XII.

All able-bodied male citizens of the State of North Carolina, between the ages of twenty-one and forty years, who are citizens of the United States, shall be liable to do duty in

Sec. Art.

the militia: Provided, That all persons who may be averse to bearing arms, from religious scruples, shall be exempt therefrom.

2. XII.

The General Assembly shall provide for the organizing, arming, equipping and discipline of the militia, and for paying the same, when called into active service.

NORTH DAKOTA.

188. XIII.

The militia of this State shall consist of all able-bodied male persons residing in this State, between the ages of eighteen and forty-five years, except such as may be exempted by the laws of the United States, or of this State. Persons whose religious tenets or conscientious scruples forbid them to bear arms shall not be compelled to do so in times of peace, but shall pay an equivalent for a personal service.

OHIO.

1. IX.

All white male citizens, residents of this State, being eighteen years of age, and under the age of forty-five years, shall be enrolled in the militia, and perform military duty, in such manner not incompatible with the Constitution and laws of the United States, as may be prescribed by law.

OREGON.

1. X.

The militia of this State shall consist of all able-bodied male citizens between the ages of eighteen and forty-five years, except such persons as now are or hereafter may be exempted by the laws of the United States or of this State.

2. X.

Persons whose religious tenets or conscientious scruples forbid them to bear arms, shall not be compelled to do in time of peace, but shall

Militia.

Sec. Art.

pay an equivalent for personal service.

PENNSYLVANIA.

30. I.

No person who conscientiously scruples to bear arms shall be compelled to do so, but he shall pay an equivalent for personal service.

1. XI.

The freemen of this Commonwealth shall be armed, organized and disciplined for its defense when and in such manner as may be directed by law. The General Assembly shall provide for maintaining the militia by appropriations from the treasury of the Commonwealth, and may exempt from military service persons having conscientious scruples against bearing arms.

1. XIII.

The militia of this State shall consist of all able-bodied male citizens of the State between the ages of eighteen and forty-five years, except such persons as are now, or may hereafter be, exempted by the laws of the United States, or who may be averse to bearing arms, as provided for in this Constitution; and shall be organized, armed, equipped and disciplined as the General Assembly may by law provide.

SOUTH DAKOTA.

1. XV.

The militia of the State of South Dakota shall consist of all able-bodied male persons residing in the State, between the ages of eighteen and forty-five years, except such persons as now are, or hereafter may be, exempted by the laws of the United States or of this State.

2. XV.

The Legislature shall provide by law for the enrollment, uniform-

Sec. Art.

ing, equipment and discipline of the militia, and the establishment of volunteer and such other organizations or both, as may be deemed necessary for the protection of the State, the preservation of order and the efficiency and good of the service.

3. XV.

The Legislature, in providing for the organization of the militia, shall conform, as nearly as practicable, to the regulations for the government of the armies of the United States.

7. XV.

No person having conscientious scruples against bearing arms shall be compelled to do military duty in time of peace.

TENNESSEE.

24. I.

That the sure and certain defense of a free people is a well-regulated militia; and, as standing armies in time of peace are dangerous to freedom, they ought to be avoided as far as the circumstances and safety of the community will admit; and that in all cases, the military shall be kept in strict subordination to the civil authority.

28. I.

That no citizen of this State shall be compelled to bear arms, provided he will pay an equivalent, to be ascertained by law.

3. VIII.

The Legislature shall pass laws exempting citizens belonging to any sect or denomination of religion, the tenets of which are known to be opposed to bearing arms, from attending private and general musters.

TEXAS.

46. XVI.

The Legislature shall provide by law for organizing and disciplin-

Militia.

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ing the militia of the State, in such manner as they shall deem expedient, not incompatible with the Constitution and the laws of the United States.

47. XVI.

Any person who conscientiously scruples to bear arms, shall not be compelled to do so, but shall pay an equivalent for personal service.

VERMONT.

Art. IX. That every member of society hath a right to be protected in the enjoyment of life, liberty and property, and therefore is bound to contribute his proportion toward the expense of that protection, and yield his personal service, when necessary, or an equivalent thereto but no part of any person's property can be justly taken from him, or applied to public uses without his own consent, or that of the representative body of the freemen, nor can any man who is conscientiously scrupulous of bearing arms, be justly compelled thereto if he will pay such equivalent; nor are the people bound by any law but such as they have in like manner assented to, for their common good; and previous to any law being made to raise a tax, the purpose for which it is to be raised ought to appear evident to the Legislature to be of more service to community than the money would be if not collected.

VIRGINIA.

15. I.

That a well-regulated militia, composed of the body of the people trained to arms, is the proper, natural and safe defense of a free State; that standing armies, in time of peace, should be avoided as dangerous

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to liberty, and that in all cases the military should be under strict subordination to, and governed by, the civil power.

1. IX.

The militia of this State shall consist of all able-bodied male persons between the ages of eighteen and forty-five years, except such persons as hereafter may be exempted by the laws of the United States or of this State; but those who belong to religious societies whose tenets forbid them to carry arms shall not be compelled to do so, but shall pay an equivalent for personal service; and the militia shall be organized, armed and equipped, and trained as the General Assembly may provide by law.

WASHINGTON.

1. X.

All able-bodied male citizens of this State between the ages of eighteen (18) and forty-five (45) years, except such as are exempted by laws of the United States or by laws of this State, shall be liable to military duty.

6. X.

No person or persons having conscientious scruples against bearing arms shall be compelled to do militia duty in time of peace: Provided, Such person or persons shall pay an equivalent for such exemption.

WISCONSIN.

29. IV.

The Legislature shall determine what persons shall constitute the militia of the State, and may provide for organizing and disciplining the same, in such manner as shall be prescribed by law.

WYOMING.

1. XVII.

The militia of the State shall con-

Militia.

Sec. Art.

sist of all able-bodied male citizens of the State, between the ages of eighteen and forty-five years; except such as are exempted by the law of the United States or the State. But all such citizens having scruples of conscience averse to bearing arms shall be excused therefrom

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upon such conditions as shall be prescribed by law.

2. XVII.

The Legislature shall provide by law for the enrollment, equipment and discipline of the militia to conform as nearly as practicable to the regulations for the government of the armies of the United States.

Provision for Enlistment.

PROVISION FOR ENLISTMENT.

- 1 Sec. 2. The Legislature may provide for the enlistment
2 into the active force of such other persons as may make appli-
3 cation to be so enlisted.

Organization and Maintenance of Militia.

ORGANIZATION AND MAINTENANCE OF MILITIA.

1 Sec. 3. The militia shall be organized and divided into
2 such land and naval, and active and reserve forces, as the
3 Legislature may deem proper, provided however that there
4 shall be maintained at all times a force of not less than ten
5 thousand enlisted men, fully uniformed, armed, equipped,
6 disciplined and ready for active service. And it shall be the
7 duty of the Legislature at each session to make sufficient
8 appropriations for the maintenance thereof.

TIME OF ELECTION.

1 Sec. 4. The Governor shall appoint the chiefs of the
 2 several staff departments, his aides-de-camp and military secre-
 3 tary all of whom shall hold office during his pleasure, their
 4 commissions to expire with the term for which the Governor
 5 shall have been elected; he shall also nominate, and with the
 6 consent of the Senate appoint, all major-generals.

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FLORIDA.**16. IV.**

The Governor shall appoint all commissioned officers of the State militia, including an adjutant-general for the State. The adjutant-general shall be the chief officer of the Governor's staff, with the rank of major-general. His duties and compensation shall be prescribed by law: Provided, That this Constitution shall work no vacancy in the office of Adjutant-General, as now constituted, until the expiration of the present term.

3. XIV.

The Governor, by and with the consent of the Senate, shall appoint two major-generals and four brigadier-generals of militia. They shall take rank according to the dates of their commissions. The officers and soldiers of the State militia, when uniformed, shall wear the uniform prescribed for the United States army: Provided, That volunteer companies may select their own uniforms.

INDIANA.**2. XII.**

The Governor shall appoint the

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adjutant, quartermaster and commissary-generals.

MAINE.

XXVIII. The major-generals shall be elected by the Senate and House of Representatives, each having a negative on the other. The adjutant-general and quartermaster-general shall be appointed by the Governor. But the adjutant-general shall perform the duties of the quartermaster-general until otherwise directed by law. The major-generals and brigadier-generals and the commanding officers of regiments and battalions, shall appoint their respective staff officers; and all military officers shall be commissioned by the Governor.

MARYLAND.**2. IX.**

There shall be an adjutant-general, appointed by the Governor, by and with the advice and consent of the Senate. He shall hold his office until the appointment and qualification of his successor, or until removed in pursuance of the sentence of a court-martial. He shall perform such duties and receive such compensation or emoluments as are now or may be prescribed by law.

Time of Election.

93. IV.

He shall discharge the duties of his office at the seat of government, unless absent; under orders, on duty; and no other officer of the general staff shall receive salary or pay except when on service and mustered in with troops.

MISSISSIPPI.

216. IX.

All officers of militia, except non-commissioned officers, shall be appointed by the Governor, by and with the Senate, or elected, as the Legislature may determine, and no commissioned officer shall be removed from office except by the Senate on suggestion of the Governor, stating the ground on which such removal is recommended, or by the decision of a court-martial, pursuant to law, or at his own request.

218. IX.

The Governor shall nominate, and, by and with the consent of the Senate, commission one major-general for the State, who shall be a citizen thereof, and also one brigadier-general for each congressional district, who shall be a resident of the district for which he shall be appointed, and each district shall constitute a militia district.

219. IX.

The adjutant-general, and other staff officers to the commander-in-chief, shall be appointed by the Governor, and their appointment shall expire with the Governor's term of office, and the Legislature shall provide by law a salary for the adjutant-general commensurate with the duties of said office.

MISSOURI.

6. XIII.

The Governor shall appoint the adjutant-general, quartermaster-general and his other staff officers. He shall also, with the advice and con-

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sent of the Senate, appoint all major-generals and brigadier-generals.

NEW JERSEY.

5. VII.

Major-generals, the adjutant-general and quartermaster-general shall be nominated by the Governor, and appointed by him, with the advice and consent of the Senate.

9.

The Governor shall appoint all militia officers whose appointment is not otherwise provided for in this Constitution.

NORTH DAKOTA.

192. XIII.

The commissioned officers of the militia shall be commissioned by the Governor, and no commissioned officer shall be removed from office except by sentence of court-martial pursuant to law.

OHIO.

3. IX.

The Governor shall appoint the adjutant-general, quartermaster-general and such other staff officers as may be provided for by law. Majors-general, brigadiers-general, colonels, or commandants of regiments, battalions or squadrons, shall, severally, appoint their staff, and captains shall appoint their non-commissioned officers and musicians.

OREGON.

3. X.

The Governor shall appoint the adjutant-general and the other chief officers of the general staff, and his own staff, and all officers of the line shall be elected by the persons subject to military duty in their respective districts.

4. X.

The majors-general, brigadiers-general, colonels or commandants of regiments, battalions, or

Sec. Art.

squadrons, shall severally appoint their staff officers, and the Governor shall commission all officers of the line and staff ranking as such.

SOUTH CAROLINA.**3. XIII.**

There shall be an adjutant and inspector-general elected by the qualified electors of the State, at the same time and in the same manner as other State officers, who shall rank as a brigadier-general, and whose

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duties and compensation shall be prescribed by law. The Governor shall appoint, by and with the advice and consent of the Senate, such other staff officers as the General Assembly may direct.

TENNESSEE.**2. VIII.**

The Governor shall appoint the adjutant-general and his other staff officers; the major-generals, brigadier-generals and commanding officers of regiments shall respectively appoint their staff officers.

Militia Officers.

MILITIA OFFICERS.

- 1 Sec. 5. All other commissioned and non-commissioned
 2 officers shall be chosen or appointed in such manner as the
 3 Legislature may deem most conducive to the improvement of
 4 the militia, provided however that no law shall be passed
 5 changing the existing mode of election and appointment unless
 6 two-thirds of the members present in each house shall concur
 7 therein.

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ALABAMA.**3. XII.**

Each company and regiment shall elect its own company and regimental officers; but if any company or regiment shall neglect to elect such officers within the time prescribed by law, they may be appointed by the Governor.

CALIFORNIA.**1. VIII.**

The Legislature shall provide, by law, for organizing and disciplining the militia, in such manner as it may deem expedient, not incompatible with the Constitution and laws of the United States. Officers of the militia shall be elected or appointed in such manner as the Legislature shall, from time to time, direct, and shall be commissioned by the Governor. The Governor shall have power to call forth the militia to execute the laws of the State, to suppress insurrections, and repel invasions.

KANSAS.**3. VIII.**

Officers of the militia shall be

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elected or appointed, and commissioned in such manner as may be provided by law.

KENTUCKY.**222.**

All militia officers whose appointment is not herein otherwise provided for shall be elected by persons subject to military duty within their respective companies, battalions, regiments or other commands, under such rules and regulations and for such terms, not exceeding four years, as the General Assembly may, from time to time, direct and establish. The Governor shall appoint an adjutant-general and his other staff officers; the generals and commandants of regiments and battalions shall respectively appoint their staff officers, and the commandants of companies shall, subject to the approval of their regimental or battalion commanders, appoint their non-commissioned officers. The Governor shall have power to fill vacancies that may occur in elective offices by granting commissions, which shall expire when such

Militia Officers.

Sec. Art.

vacancies have been filled according to the provisions of this Constitution.

MAINE.

1. VII.

The captains and subalterns of the militia shall be elected by the written votes of the members of their respective companies. The field officers of regiments, by the written votes of the captains and subalterns of their respective regiments. The brigadier-generals in like manner, by the field officers of their respective brigades.

2. VII.

The Legislature shall, by law, direct the manner of notifying the electors, conducting the elections, and making returns to the Governor of the officers elected; and, if the electors shall neglect or refuse to make such elections, after being duly notified according to law, the Governor shall appoint suitable persons to fill such offices.

3. VII.

The major-generals shall be elected by the Senate and House of Representatives, each having a negative on the other. The adjutant-general and quartermaster-general shall be chosen annually by joint ballot of the Senators and Representatives in convention. But the adjutant-general shall perform the duties of quartermaster-general until otherwise directed by law. The major-generals and brigadier-generals, and the commanding officers of regiments and battalions, shall appoint their respective staff officers; and all military officers shall be commissioned by the Governor.

MASSACHUSETTS.

1.

Art. X. The captains and subalterns of the militia shall be elected by the written votes of the train-band and alarm list of their respective

Sec. Art.

companies (of twenty-one years of age and upwards); the field officers of regiments shall be elected by the written votes of the captains and subalterns of their respective regiments; the brigadiers shall be elected in like manner by the field officers of their respective brigades; and such officers, so elected, shall be commissioned by the Governor, who shall determine their rank. (Limitation of age struck out by amendments, Art. V.)

The Legislature shall, by standing laws, direct the time and manner of convening the electors, and of collecting votes, and of certifying to the Governor the officers elected.

The major-generals shall be appointed by the Senate and House of Representatives, each having a negative upon the other, and be commissioned by the Governor. (For provisions as to appointment of a commissary-general, see amendments, Art. IV.)

And if the electors of brigadiers, field officers, captains or subalterns shall neglect or refuse to make such elections, after being duly notified, according to the laws for the time being, then the Governor, with advice of Council, shall appoint suitable persons to fill such vacancies.

(And no officer, duly commissioned to command in the militia, shall be removed from his office, but by the address of both houses to the Governor, or by fair trial in court-martial, pursuant to the laws of the Commonwealth for the time being.) (Superseded by amendments, Art. IV.)

The commanding officers of regiments shall appoint their adjutants and quartermasters; the brigadiers their brigade-majors, and the major-generals their aids; and the Governor shall appoint the adjutant-general.

The Governor, with advice of Council, shall appoint all of-

Militia Officers.

Sec. Art.

ficers of the Continental army, whom, by the confederation of the United States, it is provided that this Commonwealth shall appoint, as also all officers of forts and garrisons.

The divisions of the militia into brigades, regiments and companies, made in pursuance of the militia laws now in force, shall be considered as the proper divisions of the militia of this Commonwealth, until the same shall be altered in pursuance of some future law.

Art. V. In the elections of captains and subalterns of the militia, all the members of their respective companies, as well those under as those above the age of twenty-one years, shall have a right to vote.

MICHIGAN.

3. VII.

Officers of the militia shall be elected or appointed and be commissioned in such manner as may be provided by law.

MISSOURI.

3. XIII.

Each company and regiment shall elect its own company and regimental officers; but if any company or regiment shall neglect to elect such officers within the time prescribed by law, or by the order of the Governor, they may be appointed by the Governor.

NEW HAMPSHIRE.

Art. 43. The captains and subalterns in their respective regiments shall be nominated and recommended by the field officers to the Governor, who is to issue their commissions immediately on receipt of such recommendation.

Art. 54. The commanding officers of the regiments shall appoint

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their adjutants and quartermasters, the brigadiers their brigade-majors, the major-generals their aids, the captains and subalterns their non-commissioned officers.

NEW JERSEY.

2. VII.

Captains, subalterns and non-commissioned officers shall be elected by the members of their respective companies.

3. VII.

Field officers of regiments, independent battalions and squadrons shall be elected by the commissioned officers of their respective regiments, battalions or squadrons.

4. VII.

Brigadier-Generals shall be elected by the field officers of their respective brigades.

6. VII.

The Legislature shall provide, by law, the time and manner of electing militia officers, and of certifying their elections to the Governor, who shall grant their commissions, and determine their rank, when not determined by law; and no commissioned officer shall be removed from office but by the sentence of a court-martial, pursuant to law.

7. VII.

In case the electors of subalterns, captains or field officers shall refuse or neglect to make such elections, the Governor shall have power to appoint such officers, and to fill all vacancies caused by such refusal or neglect.

8. VII.

Brigade inspectors shall be chosen by the field officers of their respective brigades.

10. VII.

Major-generals, brigadier-generals

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and commanding officers of regiments, independent battalions and squadrons shall appoint the staff officers of their divisions, brigades, regiments, independent battalions and squadrons, respectively.

NORTH DAKOTA.

191. XIII.

All militia officers shall be appointed or elected in such manner as the Legislative Assembly shall provide.

OHIO.

2. IX.

Major-generals, brigadiers-general, colonels, lieutenant-colonels, majors, captains and subalterns shall be elected by the persons subject to military duty, in their respective districts.

TENNESSEE.

1. VIII.

All militia officers shall be elected by persons subject to military duty, within the bounds of their several companies, battalions, regiments, brigades and divisions, under such rules and regulations as the Legislature may, from time to time, direct and establish.

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VERMONT.

22.

The inhabitants of this State shall be trained and armed for its defense, under such regulations, restrictions and exceptions, as Congress, agreeably to the Constitution of the United States, and the Legislature of this State, shall direct. The several companies of militia shall, as often as vacancies happen, elect their captain and other officers, and the captains and subalternates shall nominate and recommend the field officers of their respective regiments, who shall appoint their staff officers.

WASHINGTON.

2. X.

The Legislature shall provide by law for organizing and disciplining the militia in such manner as it may deem expedient, not incompatible with the Constitution and laws of the United States. Officers of the militia shall be elected or appointed in such manner as the Legislature shall from time to time direct, and shall be commissioned by the Governor. The Governor shall have power to call forth the militia to execute the laws of the State, to suppress insurrections and repel invasions.

Officers, How Commissioned.

OFFICERS, HOW COMMISSIONED.

1 Sec. 6. The commissioned officers shall be commis-
 2 sioned by the Governor as commander-in-chief. No commis-
 3 sioned officer shall be removed from office during the term for
 4 which he shall have been appointed or elected, unless by the
 5 Senate on the recommendation of the Governor, stating the
 6 grounds on which such removal is recommended, or by the
 7 sentence of a court-martial, or upon the findings of an exam-
 8 ining board organized pursuant to law, or for absence with-
 9 out leave for a period of six months or more.

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COLORADO.

3. XI.

The Governor shall appoint all general, field and staff officers and commission them. Each company shall elect its own officers, who shall be commissioned by the Governor; but if any company shall fail to elect such officers within the time prescribed by law, they may be appointed by the Governor.

IDAHO.

3. XIV.

All militia officers shall be commissioned by the Governor, the manner of their selection to be provided by law, and may hold their commissions for such period of time as the Legislature may provide.

ILLINOIS.

3. XII.

All militia officers shall be commissioned by the Governor, and may hold their commissions for such time as the General Assembly may provide.

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INDIANA.

3. XII.

All militia officers shall be commissioned by the Governor, and shall hold their offices not longer than six years.

IOWA.

3. VI.

All commissioned officers of the militia (staff officers excepted) shall be elected by the persons liable to perform military duty, and shall be commissioned by the Governor.

NEW HAMPSHIRE.

Art. 53. No officer, duly commissioned to command in the militia, shall be removed from his office but by the address of both houses to the Governor, or by fair trial in court-martial, pursuant to the laws of the State for the time being.

OHIO.

4. IX.

The Governor shall commission

Officers, How Commissioned.

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all officers of the line and staff, ranking as such; and shall have power to call forth the militia to execute the laws of the State, to suppress insurrection and repel invasion.

SOUTH DAKOTA.**4. XV.**

All militia officers shall be commissioned by the Governor, and may hold their commissions for such period of time as the Legislature may provide, sub-

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ject to removal by the Governor for cause, to be first ascertained by a court-martial, pursuant to law.

WYOMING.**3. XVII.**

All militia officers shall be commissioned by the Governor, the manner of their selection to be provided by law, and may hold their commissions for such period of time as the Legislature may provide.

General Provisions.

GENERAL PROVISIONS.

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ALABAMA.4. **XII.**

Volunteer organizations of infantry, cavalry and artillery may be formed, in such manner and under such restrictions and with such privileges as may be provided by law.

7. **XII.**

The General Assembly shall provide for the safe keeping of the arms, ammunition and accoutrements, military records, banners and relics of the State.

8. **XII.**

The officers and men of the militia and volunteer forces shall not be entitled to, or receive, any pay, rations or emoluments when not in active service.

ARKANSAS.2. **XI.**

Volunteer companies of infantry, cavalry or artillery may be formed, in such manner and with such restrictions as may be provided by law.

CALIFORNIA.2. **VIII.**

All military organizations provided for by this Constitution, or any law of this State, and receiving State support shall, while under arms, either for ceremony or duty, carry no device, banner or flag of any State or nation except that of the United States or the State of California.

GEORGIA.1. **X.**

Par. II. The General Assembly shall have power to authorize the formation of volunteer companies, and to provide for their organization into battalions,

Sec. Art.

regiments, brigades, divisions and corps, with such restrictions as may be prescribed by law, and shall have authority to arm and equip the same.

1. **X.**

Par. III. The officers and men of the militia and volunteer forces shall not be entitled to receive any pay, rations or emoluments when not in active service by authority of the State,

IDAHO.4. **XIV.**

All military records, banners and relics of the State, except when in lawful use, shall be preserved in the office of the adjutant-general as an enduring memorial of the patriotism and valor of the soldiers of Idaho; and it shall be the duty of the Legislature to provide by law for the safe keeping of the same.

5. **XIV.**

All military organizations under the laws of this State shall carry no other device, banner, or flag than that of the United States or the State of Idaho.

ILLINOIS.5. **XII.**

The military records, banners and relics of the State shall be preserved as an enduring memorial of the patriotism and valor of Illinois, and it shall be the duty of the General Assembly to provide by law for the safe keeping of the same.

INDIANA.4. **XII.**

The General Assembly shall determine the means of dividing

General Provisions.

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the militia into divisions, brigades, regiments, battalions, and companies, and fix the rank of all staff officers.

5. XII.

The militia may be divided into classes of sedantry and active militia, in such manner as shall be prescribed by law.

KENTUCKY.

223.

The General Assembly shall provide for the safe keeping of the public arms, military records, relics and banners of the Commonwealth of Kentucky.

LOUISIANA.

Art. 182. The officers and men of the militia and volunteer forces shall receive no pay, rations or emoluments when not in active service by authority of the State.

MAINE.

14. I.

No person shall be subject to corporal punishment under military law, except such as are employed in the army or navy, or in the militia when in actual service in time of war or public danger.

4. VII.

The militia, as divided into divisions, brigades, regiments, battalions and companies pursuant to the laws now in force, shall remain so organized, until the same shall be altered by the Legislature.

MARYLAND.

3. IX.

The existing militia law of the State shall expire at the end of the next session of the General Assembly, except so far as it may be re-enacted, subject to the provisions of this article.

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MICHIGAN.

210. VIII.

No public officer of this State, or any district, county, city or town thereof, nor any teacher or trustee of any public school, shall be interested in the sale, proceeds or profits of any books, apparatus or furniture to be used in any public school in this State. Penalties shall be provided by law for the violation of this section.

8. XVIII.

The military shall, in all cases and at all times, be in strict subordination to the civil power.

MISSISSIPPI.

220. IX.

The militia shall be exempt from arrest during their attendance on musters, and in going to and returning from the same, except in cases of treason, felony or breach of the peace.

222. IX.

The Legislature shall empower the board of supervisors of each county in the State to aid in supporting a military company or companies of the Mississippi National Guard within its borders, under such regulations, limitations and restrictions as may be prescribed by law.

MISSOURI.

7. XIII.

The General Assembly shall provide for the safe keeping of the public arms, military records, banners and relics of the State.

MONTANA.

4. XIV.

The Legislative Assembly shall provide by law for the safe keeping of the public arms, military records, relics and banners of the State.

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NEBRASKA.**17. I.**

The military shall be in strict subordination to the civil power.

NEW HAMPSHIRE.

Art. 55. The division of the militia into brigades, regiments, companies, made in pursuance of the militia laws now in force, shall be considered as the proper division of the militia of this State, until the same shall be altered by some future law.

Art. 26. In all cases and at all times, the military ought to be under strict subordination to and governed by the civil power.

NORTH DAKOTA.**190. XVIII.**

The Legislative Assembly shall provide by law for the establishment of volunteer organizations of the several arms of the service, which shall be classed as active militia, and no other organized body of armed men shall be permitted to perform military duty in this State, except the army of the United States, without the proclamation of the Governor of the State.

193. XIII.

The militia forces shall, in all cases except treason, felony or breach of the peace, be privileged from arrest during their attendance at musters, parades and election of officers, and in going to and returning from the same.

OREGON.**5. I.**

The Legislative Assembly shall fix by law the method of dividing the militia into divisions, brigades, regiments, battalions and companies, and make all other needful rules and regulations, in such manner as they may deem expedient, not incompat-

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ible with the Constitution or laws of the United States or with the Constitution of this State, and shall fix the rank of all staff officers.

RHODE ISLAND.**18. I.**

The military shall be held in strict subordination to the civil authority. And the law martial shall be used and exercised in such cases only as occasion shall necessarily require.

4. XIV.

The towns of New Shoreham and Jamestown shall continue to enjoy the exemption from military duty which they now enjoy, until otherwise prescribed by law.

SOUTH CAROLINA.**25. I.**

No person shall, in any case, be subject to martial law, or to any pains or penalties by virtue of that law, except those employed in the army or navy of the United States, and except the militia in actual service, but by authority of the General Assembly.

TEXAS.**34. XVI.**

The Legislature shall pass laws authorizing the Governor to lease or sell to the government of the United States a sufficient quantity of the public domain of the State necessary for the erection of forts, barracks, arsenals and military stations or camps, and for other needful military purposes; and the action of the Governor therein shall be subject to the approval of the Legislature.

VIRGINIA.**2. IX.**

The Legislature shall provide by

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law for the encouragement of volunteer corps of the several arms of the service, which shall be classed as the active militia; and all other militia shall be classified as the reserve militia, and shall not be required to muster in time of peace.

9. XI.

The children of parents one or both of whom were slaves at and during the period of cohabitation, and who were recognized by the father as his children, and whose mother was recognized by such father as his wife, and was cohabited with as such, shall be as capable of inheriting any estate whereof such father may have died seized and possessed as though they had been born in lawful wedlock.

WASHINGTON.

8. X.

The Legislature shall provide by law for the maintenance of a

Sec. Art.

soldiers' home for honorably discharged Union soldiers, sailors, marines and members of the State militia disabled while in the line of duty and who are bona fide citizens of the State.

4. X.

The Legislature shall provide by law for the protection and safe keeping of the public arms.

5. X.

The militia shall, in all cases except treason, felony and breach of the peace, be privileged from arrest during their attendance at musters and elections of officers, and in going to and returning from the same.

WYOMING.

4. XVII.

No military organization under the laws of this State shall carry any banner or flag representing any sect or society or the flag of any nationality but that of the United States.

INCORPORATION OF CITIES AND VILLAGES.

ARTICLE XII.

1 Section 1. It shall be the duty of the Legislature to pro-
 2 vide for the organization of cities and incorporated villages,
 3 and to restrict their power of taxation, assessment, borrowing
 4 money, contracting debts, and loaning their credit, so as to
 5 prevent abuses in assessments, and in contracting debt by
 6 such municipal corporations.

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CALIFORNIA.**4. XI.**

The Legislature shall establish a system of county governments, which shall be uniform throughout the State; and by general laws shall provide for township organization, under which any county may organize whenever a majority of the qualified electors of such county, voting at a general election, shall so determine; and whenever a county shall adopt township organization, the assessment and collection of the revenue shall be made, and the business of such county and the local affairs of the several townships therein, shall be managed and transacted in the manner prescribed by such general laws.

COLORADO.**13. XIV.**

The General Assembly shall provide, by general laws, for the organization and classification of cities and towns. The number of such classes shall not exceed four, and the powers of each class shall be defined by general laws, so that all municipi-

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pal corporations of the same class shall possess the same powers, and be subject to the same restrictions.

FLORIDA.**24. III.**

The Legislature shall establish a uniform system of county and municipal government, which shall be applicable except in cases where local or special laws are provided by the Legislature that may be inconsistent therewith.

8. VIII.

The Legislature shall have power to establish and to abolish municipalities, to provide for their government, to prescribe their jurisdiction and powers, and to alter or amend the same at any time. When any municipality shall be abolished, provision shall be made for the protection of its creditors.

5. IX.

The Legislature shall authorize the several counties and incorporated cities or towns in the State to assess and impose taxes for county and municipal pur-

Incorporation of Cities and Villages.

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poses, and for no other purposes, and all property shall be taxed upon the principles established for State taxation. But the cities and incorporated towns shall make their own assessments for municipal purposes upon the property within their limits. The Legislature may also provide for levying a special capitation tax, and a tax on licenses. But the capitation tax shall not exceed one dollar a year, and shall be applied exclusively to common school purposes.

IDAHO.**6. VII.**

The Legislature shall not impose taxes for the purpose of any county, city, town or other municipal corporation, but may by law invest in the corporate authorities thereof, respectively, the power to assess and collect taxes for all purposes of such corporation.

1. XII.

The Legislature shall provide by general laws for the incorporation, organization, and classification of the cities and towns, in proportion to the population, which laws may be altered, amended or repealed by the general laws. Cities and towns heretofore incorporated may become organized under such general laws, whenever a majority of the electors, at a general election, shall so determine, under such provision therefor as may be made by the Legislature.

ILLINOIS.**9. IX.**

The General Assembly may vest the corporate authorities of cities, towns and villages with power to make local improvements by special assessment or by special taxation of contiguous property, or otherwise. For all other corporate purposes, all

Sec. Ar.

municipal corporations may be vested with authority to assess and collect taxes; but such taxes shall be uniform in respect to persons and property within the jurisdiction of the body imposing the same.

5. X.

The General Assembly shall provide, by general law, for township organization, under which any county may organize whenever a majority of the legal voters of such county, voting at any general election, shall so determine; and whenever any county shall adopt township organization, so much of this Constitution as provides for the management of the fiscal concerns of the said county by the board of county commissioners, may be dispensed with, and the affairs of said county may be transacted in such manner as the General Assembly may provide. And in any county that shall have adopted a town organization, the question of continuing the same may be submitted to a vote of the electors of such county, at a general election, in the manner that now is or may be provided by law; and if a majority of all the votes cast upon that question shall be against township organization, then such organization shall cease in said county; and all laws in force in relation to counties not having township organization, shall immediately take effect and be in force in such county. No two townships shall have the same name, and the day of holding the annual township meeting shall be uniform throughout the State.

KANSAS.**5. XII.**

Provision shall be made by general law for the organization of

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cities, towns and villages; and their power of taxation, assessment, borrowing money, contracting debts and loaning their credit, shall be so restricted as to prevent the abuse of such power.

KENTUCKY.

156.

The cities and towns of this Commonwealth, for the purposes of their organization and government, shall be divided into six classes. The organization and powers of each class shall be defined and provided for by general laws, so that all municipal corporations of the same class shall possess the same powers and be subject to the same restrictions. To the first class shall belong cities with a population of one hundred thousand or more; to the second class, cities with a population of twenty thousand or more, and less than one hundred thousand; to the third class, cities with a population of eight thousand or more, and less than twenty thousand; to the fourth class, cities and towns with a population of three thousand or more, and less than eight thousand; to the fifth class, cities and towns with a population of one thousand or more, and less than three thousand; to the sixth class, towns with a population of less than one thousand. The General Assembly shall assign the cities and towns of the Commonwealth to the classes to which they respectively belong, and change assignments made as the population of said cities and towns may increase or decrease, and in the absence of other satisfactory information as to their population shall be governed by the last preceding federal census in so doing; but no city or town

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shall be transferred from one class to another, except in pursuance of a law previously enacted and providing therefor. The General Assembly, by a general law, shall provide how towns may be organized, and enact laws for the government of such towns until the same are assigned to one or the other of the classes above named; but such assignment shall be made at the first session of the General Assembly after the organization of said town or city.

159.

Whenever any county, city, town, taxing district or other municipality is authorized to contract an indebtedness, it shall be required, at the same time, to provide for the collection of an annual tax sufficient to pay the interest on said indebtedness, and to create a sinking fund for the payment of the principal thereof, within not more than forty years from the time of contracting the same.

180.

The General Assembly may authorize the counties, cities or towns to levy a poll tax not exceeding one dollar and fifty cents per head. Every act enacted by the General Assembly, and every ordinance and resolution passed by any county, city, town or municipal board or local legislative body, levying a tax, shall specify distinctly the purpose for which said tax is levied, and no tax levied and collected for one purpose shall ever be devoted to another purpose.

LOUISIANA.

Art. 242. The General Assembly shall have power to enact general laws authorizing the parochial or municipal authori-

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ties of the State, under certain circumstances, by a vote of the majority of the property taxpayers in numbers and in value, to levy special taxes in aid of the public improvements or railway enterprises: Provided, That such tax shall not exceed the rate of five mills per annum nor extend for a longer period than ten years.

MICHIGAN.**38. IV.**

The Legislature may confer upon organized townships, incorporated cities and villages, and upon the boards of supervisors of the several counties such powers of local legislative and administrative character as they may deem proper.

13. XV.

The Legislature shall provide for the incorporation and organization of cities and villages, and shall restrict their powers of taxation, borrowing money, contracting debts and loaning their credit.

MINNESOTA.**14 (b). IX.**

The Legislature shall not authorize any county, township, city, or other municipal corporation to issue bonds or to become indebted in any manner to aid in the construction or equipment of any or all railroads to any amount that shall exceed ten per centum of the value of the taxable property within such county, township, city, or other municipal corporation; the amount of such taxable property to be ascertained and determined by the last assessment of said property made for the purpose of State and county taxation previous to the incurring of such indebtedness.

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5. XI.

Any county and township organization shall have such powers of local taxation as may be prescribed by law.

MISSISSIPPI.**80. IV.**

Provision shall be made by general laws to prevent the abuse by cities, towns and other municipal corporations of their powers of assessment, taxation, borrowing money and contracting debts.

MISSOURI.**7. IX.**

The General Assembly shall provide, by general laws, for the organization and classification of cities and towns. The number of such classes shall not exceed four; and the power of each class shall be defined by general laws, so that all such municipal corporations of the same class shall possess the same powers and be subject to the same restrictions. The General Assembly shall also make provisions by general law, whereby any city, town or village, existing by virtue of any special or local law, may elect to become subject to and be governed by the general laws relating to such corporations.

8. IX.

The General Assembly may provide, by general law, for township organization, under which any county may organize whenever a majority of the legal voters of such county, voting at any general election, shall so determine; and whenever any county shall adopt township organization, so much of this Constitution as provides for the management of county affairs, and the assessment and collection of the revenue by

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county officers, in conflict with such general law for township organization, may be dispensed with, and the business of said county, and the local concerns of the several townships therein, may be transacted in such manner as may be prescribed by law: Provided, That the justices of the County Court in such case shall not exceed three in number.

5. XII. MONTANA.

Taxes for city, town and school purposes may be levied on all subjects and objects of taxation, but the assessed valuation of any property shall not exceed the valuation of the same property for State and county purposes.

6. IX. NEBRASKA.

The Legislature may vest the corporate authorities of cities, towns and villages with power to make local improvements by special assessments, or by special taxation of property benefited. For all other corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes, but such taxes shall be uniformly in respect to persons and property within the jurisdiction of the body imposing the same.

5. X.

The Legislature shall provide by general law for township organization, under which any county may organize whenever a majority of the legal voters of such county, voting at any general election, shall so determine; and in any county that shall have adopted a township organization the question of continuing the same may be

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submitted to a vote of the electors of such county at a general election, in the manner that shall be provided by law.

NEVADA.

8. VIII.

The Legislature shall provide for the organization of cities and towns by general laws, and restrict their powers of taxation, assessment, borrowing money, contracting debts, and loaning their credit, except for procuring supplies of water.

NORTH CAROLINA.

4. VIII.

It shall be the duty of the Legislature to provide for the organization of cities, towns and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts and loaning their credit, so as to prevent abuses in assessment and in contracting debts by such municipal corporations.

NORTH DAKOTA.

130. VI.

The Legislative Assembly shall provide by general law for the organization of municipal corporations, restricting their powers as to levying taxes and assessments, borrowing money and contracting debts, and money raised by taxation, loan or assessment for any purpose shall not be diverted to any other purpose except by authority of law.

170. X.

The Legislative Assembly shall provide by general law for township organization, under which any county may organize whenever a majority of all the legal voters of such county, voting at a general election, shall so determine; and when-

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ever any county shall adopt township organization, so much of this Constitution as provides for the management of the fiscal concerns of said county by the board of county commissioners may be dispensed with by a majority vote of the people voting at any general election; and the affairs of said county may be transacted by the chairman of the several township boards of said county, and such others as may be provided by law for incorporated cities, towns or villages within such county.

OHIO.

6. VIII.

The General Assembly shall never authorize any county, city, town or township, by vote of its citizens or otherwise, to become a stockholder in any joint-stock company, corporation or association whatever; or to raise money for, or loan its credit to, or in aid of, such company, corporation or association.

6. XIII.

The General Assembly shall provide for the organization of cities and incorporated villages, by general laws, and restrict their power of taxation, assessment, borrowing money, contracting debts and loaning their credit, so as to prevent the abuse of such power.

OREGON.

5. XI.

Acts of Legislative Assembly, incorporating towns and cities, shall restrict their powers of taxation, borrowing money, contracting debts, and loaning their credit.

SOUTH CAROLINA.

8. IX.

The corporate authorities of counties, townships, school districts,

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cities, towns and villages may be vested with power to assess and collect taxes for corporate purposes; such taxes to be uniform in respect to persons and property within the jurisdiction of the body imposing the same. And the General Assembly shall require that all property, except that heretofore exempted, within the limits of municipal corporations shall be taxed for the payment of debts contracted under authority of law.

9. IX.

The General Assembly shall provide for the incorporation and organization of cities and towns, and shall restrict their powers of taxation, borrowing money, contracting debts and loaning their credit.

SOUTH DAKOTA.

4. IX.

The Legislature shall provide by general law for organizing the counties into townships, having due regard for congressional township lines and natural boundaries, and whenever the population is sufficient and the natural boundaries will permit, the civil townships shall be co-extensive with the congressional townships.

1. X.

The Legislature shall provide by general laws for the organization and classification of municipal corporations. The number of such classes shall not exceed four, and the powers of each class shall be defined by general laws, so that no such corporations shall have any powers, or be subject to any restrictions other than those of all corporations of the same class. The Legislature shall restrict the power of such corporations to levy taxes and assessments, borrow money and contract debts,

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so as to prevent the abuse of such power.

10. XI.

The Legislature may vest the corporate authority of cities, towns and villages with power to make local improvements by special taxation of contiguous property or otherwise. For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes; but such tax shall be uniform in respect to persons and property within the jurisdiction of the body levying the same.

TEXAS.

6. XI.

Counties, cities and towns are authorized, in such mode as may now, or may hereafter be provided by law, to levy, assess and collect the taxes necessary to pay the interest and provide a sinking fund to satisfy any indebtedness heretofore legally made or undertaken; but all such taxes shall be assessed and collected separately from that levied, assessed and collected for current expenses of municipal government, and shall, when levied, specify in the act of levying the purpose therefor, and such taxes may be paid in the coupons, bonds or other indebtedness for the payment of which such tax may have been levied.

WASHINGTON.

9. VII.

The Legislature may vest the corporate authorities of cities, towns and villages with power to make local improvements by special assessment, or by special taxation of property benefited. For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes, and such taxes shall be uniform in respect to

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persons and property within the jurisdiction of the body levying the same.

4. XI.

The Legislature shall establish a system of county government which shall be uniform throughout the State, and by general laws shall provide for township organization under which any county may organize whenever a majority of the qualified electors of such county voting at the general election shall so determine, and whenever a county shall adopt township organization the assessments and collection of the revenue shall be made, and the business of such county, and the local affairs of the several townships therein, shall be managed and transacted in the manner prescribed by such general law.

10. XI.

Corporations for municipal purpose shall not be created by special laws; but the Legislature, by general laws, shall provide for the incorporation, organization and classification in proportion to population, of cities and towns, which laws may be altered, amended or repealed. Cities and towns heretofore organized or incorporated may become organized under such general laws, whenever a majority of the electors, voting at a general election, shall so determine, and shall organize in conformity therewith; and cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this Constitution, shall be subject to and controlled by general laws. Any city containing a population of twenty thousand inhabitants, or more, shall be permitted to frame a charter for

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its own government, consistent with and subject to the Constitution and laws of this State; and for such purpose the legislative authority of such city may cause an election to be had, at which election there shall be chosen by the qualified electors of said city fifteen freeholders thereof, who shall have been residents of said city for a period of at least two years preceding their election and qualified voters, whose duty it shall be to convene within ten days after their election and prepare and propose a charter for such city. Such proposed charter shall be submitted to the qualified electors of said city, and if a majority of such qualified electors, voting thereon, ratify the same, it shall become the charter of said city, and shall become the organic law thereof, and supersede any existing charter, including amendments thereto, and all special laws inconsistent with such charter. Said proposed charter shall be published in two daily newspapers published in said city, for at least thirty days prior to the day of submitting the same to the electors for their approval, as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election, and shall be given for at least ten days before the day of election, in all election districts of said city. Said elections may be general or special elections, and, except as herein provided, shall be governed by the law regulating and controlling general or special elections in said city. Such charter may be amended by proposals therefor submitted by the legislative

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authority of such city to the electors thereof at any general election after notice of said submission, published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter, or amendment thereto, any alternate article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others.

11. XI.

Any county, city, town or township may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws.

12. XI.

The Legislature shall have no power to impose taxes upon counties cities, towns or other municipal corporations, or upon the inhabitants or property thereof, for county, city, town or other municipal purposes, but may, by general laws, vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

WEST VIRGINIA.

9. X.

The Legislature, may, by law, authorize the corporate authorities of cities, towns and villages, for corporate purposes, to assess and collect taxes, but such taxes shall be uniform, with respect to persons and property within the jurisdiction of the authority imposing the same.

WISCONSIN.

23. IV.

The Legislature shall establish but one system of town and county government which shall be as nearly uniform as practicable.

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3. XI.

It shall be the duty of the Legislature, and they are hereby empowered, to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent abuses in assessments and taxation, and in contracting debts by such municipal corporations.

3. XI.

It shall be the duty of the Legislature, and they are hereby empowered to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent abuses in assessments and taxation, and in contracting debts by such municipal corporations. No county, city, town, village, school district, or other municipal corporation shall be allowed to become indebted in any manner or for any purpose, to any amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness. Any county, city, town, village, school district, or other municipal corporation, incurring any indebtedness as aforesaid, shall, before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on

Sec. Art.

said debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same.

WYOMING.

4. XII.

The Legislature shall provide by general law for a system of township organization and government, which may be adopted by any county whenever a majority of the citizens thereof, voting at a general election, shall so determine.

1. XIII.

The Legislature shall provide by general laws for the organization and classification of municipal corporations. The number of such classes shall not exceed four (4), and the powers of each class shall be defined by general laws, so that no such corporations shall have any powers or be subject to any restrictions other than all corporations of the same class. Cities and towns now existing under special charters or the general laws of the Territory may abandon such charter and reorganize under the general laws of the State.

3. XIII.

The Legislature shall restrict the powers of such corporations to levy taxes and assessments, to borrow money and contract debts, so as to prevent the abuse of such power, and no tax or assessment shall be levied or collected or debts contracted by municipal corporations except in pursuance of law for public purposes, specified by law.

Classification of Cities, Etc.

CLASSIFICATION OF CITIES, ETC.

1 Sec. 2. All cities are classified according to the latest
2 State enumeration, as from time to time made, as follows: The
3 first class includes all cities having a population of two hun-
4 dred and fifty thousand, or more; the second class, all cities
5 having a population of fifty thousand and less than two hun-
6 dred and fifty thousand; the third class, all other cities. Laws
7 relating to the property, affairs or government of cities, and the
8 several departments thereof, are divided into general and
9 special city laws; general city laws are those which relate to all
10 the cities of one or more classes; special city laws are those which
11 relate to a single city, or to less than all the cities of a class.
12 Special city laws shall not be passed except in conformity with
13 the provisions of this section. After any bill for a special
14 city law, relating to a city, has been passed by both branches
15 of the Legislature, the house in which it originated shall imme-
16 diately transmit a certified copy thereof to the mayor of such
17 city, and within fifteen days thereafter the mayor shall return
18 such bill to the house from which it was sent, or if the session
19 of the Legislature at which such bill was passed has termi-
20 nated, to the Governor, with the mayor's certificate thereon,
21 stating whether the city has or has not accepted the same.
22 In every city of the first class, the mayor, and in every other

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23 city, the mayor and the legislative body thereof concurrently,
24 shall act for such city as to such bill; but the Legislature may
25 provide for the concurrence of the legislative body in cities
26 of the first class. The Legislature shall provide for a public
27 notice and opportunity for a public hearing concerning any
28 such bill in every city to which it relates, before action thereon.
29 Such a bill, if it relates to more than one city, shall be trans-
30 mitted to the mayor of each city to which it relates, and shall
31 not be deemed accepted unless accepted as herein provided,
32 by every such city. Whenever any such bill is accepted as
33 herein provided, it shall be subject as are other bills, to the
34 action of the Governor. Whenever, during the session at
35 which it was passed, any such bill is returned without the
36 acceptance of the city or cities to which it relates, or within
37 such fifteen days is not returned, it may nevertheless again be
38 passed by both branches of the Legislature, and it shall then
39 be subject as are other bills, to the action of the Governor.
40 In every special city law which has been accepted by the city
41 or cities to which it relates, the title shall be followed by the
42 words "accepted by the city," or "cities," as the case may be;
43 in every such law which is passed without such acceptance, by
44 the words "passed without the acceptance of the city," or
45 "cities," as the case may be.

ELECTIONS, HOW HELD.

1 Sec. 3. All elections of city officers, including super-
2 visors and judicial officers of inferior local courts, elected in
3 any city or part of a city, and of county officers elected in the
4 counties of New York and Kings, and in all counties whose
5 boundaries are the same as those of a city, except to fill vacan-
6 cies, shall be held on the Tuesday succeeding the first Monday
7 in November in an odd-numbered year, and the term of every
8 such officer shall expire at the end of an odd-numbered year.
9 The terms of office of all such officers, elected before the first
10 day of January, one thousand eight hundred and ninety-five,
11 whose successors have not then been elected, which under
12 existing laws would expire with an even-numbered year, or in
13 an odd-numbered year and before the end thereof, are extended
14 to and including the last day of December next following the
15 time when such terms would otherwise expire; the terms of
16 office of all such officers, which under existing laws would
17 expire in an even-numbered year, and before the end thereof,
18 are abridged so as to expire at the end of the preceding year.
19 This section shall not apply to any city of the third class, or to
20 elections of any judicial officer, except judges and justices of
21 inferior local courts.

Oath of Office.

OATH OF OFFICE.**ARTICLE XIII.**

1 Section 1. Members of the Legislature, and all officers,
2 executive and judicial, except such inferior officers as shall be
3 by law exempted shall, before they enter on the duties of their
4 respective offices, take and subscribe the following oath or
5 affirmation: "I do solemnly swear (or affirm) that I will sup-
6 port the Constitution of the United States and the Constitu-
7 tion of the State of New York, and that I will faithfully dis-
8 charge the duties of the office of ———, according to the
9 best of my ability;" and all such officers who shall have been
10 chosen at any election shall, before they enter on the duties
11 of their respective offices, take and subscribe the oath or
12 affirmation above prescribed, together with the following addi-
13 tion thereto, as part thereof:

14 "And I do further solemnly swear (or affirm) that I have
15 not directly or indirectly paid, offered or promised to pay,
16 contribute, or offered or promised to contribute any money
17 or other valuable thing as a consideration or reward for the
18 giving or withholding a vote at the election at which I was
19 elected to said office, and have not made any promise to
20 influence the giving or withholding any such vote," and no
21 other oath, declaration or test shall be required as a qualifica-
22 tion for any office of public trust.

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ALABAMA.**1. XV.**

All members of the General Assembly, and all officers, executive and judicial, before they enter upon the execution of the duties of their respective offices, shall take the following oath or affirmation, to wit:

"I, ———, solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter to the best of my ability, so help me God." Which oath may be administered by the presiding officer of either House of the General Assembly, or any officer authorized by law to administer an oath.

ARKANSAS.**20. XIX.**

Senators and Representatives and all judicial and executive, State and county officers, and all other officers, both civil and military, before entering on the duties of their respective offices, shall take and subscribe to the following oath or affirmation: "I, ———, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Arkansas, and that I will faithfully discharge the duties of the office of ———, upon which I am now about to enter."

CALIFORNIA.**3. XX.**

Members of the Legislature, and all officers, executive and judicial, except such inferior officers as may be by law exempted, shall, before they enter upon the duties of their respective

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offices, take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be), that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of ——— according to the best of my ability."

And no other oath, declaration or test shall be required as a qualification for any office or public trust.

COLORADO.**7. VII.**

Every member of the General Assembly shall, before he enters upon his official duties, take an oath or affirmation to support the Constitution of the United States and of the State of Colorado, and to faithfully perform the duties of his office according to the best of his ability. This oath, or affirmation, shall be administered in the hall of the house to which the member shall have been elected.

8. VII.

Every civil officer, except members of the General Assembly and such inferior officers as may be by law exempted, shall, before he enters upon the duties of his office, take and subscribe an oath or affirmation to support the Constitution of the United States and the State of Colorado, and to faithfully perform the duties of the office upon which he shall be about to enter.

CONNECTICUT.**1. X.**

Members of the General Assembly, and all officers, executive and judicial, shall, before they enter on the duties of their respective offices, take the following oath or affirmation, to wit:

You do solemnly swear, or affirm (as the case may be), that you

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will support the Constitution of the United States and the Constitution of the State of Connecticut, so long as you continue a citizen thereof; and that you will faithfully discharge, according to law, the duties of the office of ——— to the best of your abilities. So help your God.

DELAWARE.

8.

Members of the General Assembly and all officers, executive and judicial, shall be bound by oath or affirmation to support the Constitution of this State, and to perform the duties of their respective offices with fidelity.

FLORIDA.

2. XVI.

Each and every officer of this State, including the members of the Legislature, shall, before entering upon the discharge of his official duties, take the following oath of office: I do solemnly swear (or affirm) that I will support, protect and defend the Constitution and government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of ———, on which I am now about to enter. So help me God.

GEORGIA.

4. III.

Par. V. Each Senator and Representative, before taking his seat, shall take the following oath, or affirmation, to wit: "I will support the Constitution of this State and of the United States; and on all questions and measures which may come before me, I will so conduct myself as will in my judgment, be most conducive to the interests and prosperity of this State."

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1. V.

Par. X. The Governor shall before he enters on the duties of his office, take the following oath or affirmation: "I do solemnly swear (or affirm as the case may be) that I will faithfully execute the office of Governor of the State of Georgia, and will, to the best of my ability, preserve, protect and defend the Constitution thereof, and the Constitution of the United States of America.

IDAH0.

25. III.

The members of the Legislature shall, before they enter upon the duties of their respective offices, take or subscribe the following oath or affirmation: "I do solemnly swear (or affirm as the case may be) that I will support the Constitution of the United States and the Constitution of the State of Idaho; and that I will faithfully discharge the duties of Senator (or Representative as the case may be) according to the best of my ability." And such oath may be administered by the Governor, Secretary of State or judge of the Supreme Court, or presiding officer of either house.

ILLINOIS.

5. V.

Members of the General Assembly, before they enter upon their official duties, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Illinois, and will faithfully discharge the duties as Senator (or Representative) according to the best of my ability; and that I have not knowingly or intentionally paid or contributed anything, or made any promise in the nature of a bribe, to directly or indirectly influence any vote at the election at which I was chosen to

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fill the said office, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person for any vote or influence I may give or withhold on any bill, resolution or appropriation, or for any other official act."

This oath shall be administered by a judge of the Supreme or Circuit Court in the hall of the house to which the member is elected, and the Secretary of State shall record and file the oath subscribed by each member. Any member who shall refuse to take the oath herein prescribed shall forfeit his office, and every member who shall be convicted of having sworn falsely to, or of violating, his said oath, shall forfeit his office and be disqualified thereafter from holding any office of profit or trust in this State.

25. V.

All civil officers, except members of the General Assembly and such inferior officers as may be by law exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath of affirmation:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of _____ according to the best of my ability."

And no other oath, declaration or test shall be required as a qualification.

INDIANA.

8. I.

The mode of administering an oath or affirmation shall be such as may be most consistent with, and binding upon, the conscience of the person to whom such oath or affirmation may be administered.

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4. XIV.

Every person elected or appointed to any office under this Constitution shall, before entering on the duties thereof, take an oath or affirmation to support the Constitution of this State and of the United States and also an oath of office.

IOWA.

3. III.

Members of the General Assembly shall, before they enter upon the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear or affirm (as the case may be) that I will support the Constitution of the United States and the Constitution of the State of Iowa, and that I will faithfully discharge the duties of Senator (or Representative, as the case may be), according to the best of my ability." And members of the General Assembly are hereby empowered to administer to each other the said oath or affirmation.

5. XI.

Every person elected or appointed to any office shall, before entering upon the duties thereof, take an oath or affirmation to support the Constitution of the United States, and of this State, and also an oath of office.

KANSAS.

7. II.

All State officers before entering upon their respective duties, shall take and subscribe an oath or affirmation to support the Constitution of the United States and the Constitution of this State, and faithfully to discharge the duties of their respective offices.

KENTUCKY.

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Members of the General Assembly and all officers, before they enter,

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upon the execution of the duties of their respective offices, and all members of the bar, before they enter upon the practice of their profession, shall take the following oath or affirmation: I do solemnly swear or (affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of this Commonwealth, and be faithful and true to the Commonwealth of Kentucky so long as I continue a citizen thereof, and that I will faithfully execute, to the best of my ability the office of — according to law; and I do further solemnly swear (or affirm) that since the adoption of the present Constitution, I, being a citizen of this State, have not fought a duel with deadly weapons within this State nor out of it, nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in carrying a challenge, nor aided or assisted any person thus offending, So help me God.

232.

The manner of administering an oath or affirmation shall be such as is most consistent with the conscience of the deponent, and shall be esteemed by the General Assembly the most solemn appeal to God.

LOUISIANA.

Art. 149. Members of the General Assembly and all officers, before they enter upon the duties of their offices, shall take the following oath or affirmation:

"I (A. B.) do solemnly swear or affirm that I will support the Constitution and laws of the United States and the Constitution and laws of this State; and that I will faithfully and impartially discharge and perform all the duties incumbent on me as — according to the best of my ability and understanding. So help me God."

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MAINE.

1. IX.

Every person elected or appointed to either of the places or offices provided in this Constitution, and every person elected, appointed, or commissioned to any judicial, executive, military or other office under this State, shall, before he enter on the discharge of the duties of his place or office, take and subscribe the following oath or affirmation:

"I, ———, do swear, that I will support the Constitution of the United States, and of this State, so long as I shall continue a citizen thereof. So help me God."

"I, ———, do swear, that I will faithfully discharge, to the best of my abilities, the duties incumbent on me as ———, according to the Constitution and laws of the State. So help me God." Provided, that an affirmation in the above forms may be substituted, when the person shall be conscientiously scrupulous of taking and subscribing an oath.

The oaths or affirmations shall be taken and subscribed by the Governor and Councilors before the presiding officer of the Senate, in the presence of both houses of the Legislature, and by the Senators and Representatives before the Governor and Council, and by the residue of said officers, before such persons as shall be prescribed by the Legislature; and whenever the Governor or any Councilor shall not be able to attend during the session of the Legislature to take and subscribe said oaths or affirmations, said oaths or affirmations may be taken and prescribed in the recess of the Legislature before any justice of the Supreme Judicial Court: Provided, that the Senators and Representatives first elected under this Constitution shall take and subscribe such oaths or affirmations

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before the president of the convention.

MARYLAND.

Art. 39. That the manner of administering an oath or affirmation to any person ought to be such as those of the religious persuasion, profession or denomination of which he is a member, generally esteem the most effectual confirmation by the attestation of the Divine Being.

6. I.

Every person elected or appointed to any office of profit or trust, under this Constitution, or under the laws, made pursuant thereto, shall before he enters upon the duties of such office, take and subscribe the following oath or affirmation: I ———; do swear (or affirm, as the case may be) that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully; without partiality or prejudice, execute the office of ———, according to the Constitution and laws of this State (and if a Governor, Senator, member of the House of Delegates, or a judge), that I will not directly or indirectly receive the profits or any part of the profits, of any other office during the term of my acting as ———.

7. I.

Every person hereafter elected or appointed to office in this State, who shall refuse or neglect to take the oath or affirmation of office, provided for in the sixth section of this article, shall be considered as having refused to accept the said office and a new election or appointment shall be made, as in case of refusal to accept or resignation of an office and any person violating said oath, shall, on conviction thereof, in a

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court of law, in addition to the penalties now or hereafter to be imposed by law, be thereafter incapable of holding any office of profit or trust in this State.

MASSACHUSETTS.

Art. 1. (Any person chosen Governor, Lieutenant-Governor, Councillor, Senator, or Representative, and accepting the trust, shall, before he proceed to execute the duties of his place or office, make and subscribe the following declaration, viz;.

"I, A. B., do declare, that I believe the Christian religion, and have a firm persuasion of its truth; and that I am seized and possessed, in my own right, of the property required by the Constitution, as one qualification for the office or place to which I am elected."

And the Governor, Lieutenant-Governor and Councilors shall make and subscribe the said declaration, in the presence of the two houses of assembly; and the Senators and Representatives, first elected under this Constitution, before the President and five of the Council of the former Constitution; and forever afterwards before the Governor and Council for the time being.) (Abolished. See amendments, Art VII.)

And every person chosen to either of the places or offices aforesaid, as also any person appointed or commissioned to any judicial, executive, military or other office under the government, shall, before he enters on the discharge of the business of his place or office, take and subscribe the following declaration, and oaths or affirmations, viz.:

("I, A. B., do truly and sincerely acknowledge, profess, testify and declare that the Commonwealth of Massachusetts is, and of right ought to be, a free, sovereign and independent State; and I do swear that I will bear true faith and allegiance

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to the said Commonwealth, and that I will defend the same against traitorous conspiracies and all hostile attempts whatsoever; and that I do renounce and abjure all allegiance, subjection and obedience to the king, queen or government of Great Britain (as the case may be), and every other foreign power whatsoever; and that no foreign prince, person, prelate, state or potentate hath or ought to have, any jurisdiction, superiority, pre-eminence, authority, dispensing or other power, in any matter, civil, ecclesiastical or spiritual, within this Commonwealth, except the authority and power which is or may be vested by their constituents in the Congress of the United States; and I do further testify and declare, that no man or body of men hath or can have any right to absolve or discharge me from the obligation of this oath, declaration or affirmation; and that I do make this acknowledgment; profession, testimony, declaration, denial, renunciation, and abjuration, heartily and truly, according to the common meaning and acceptation of the foregoing words, without any equivocation, mental evasion, or secret reservation whatsoever. So help me God.") (For new oath of allegiance, see amendments, Art. VI.)

"I, A. B., do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as — —, according to the best of my abilities and understanding agreeably to the rules and regulations of the Constitution and the laws of the Commonwealth. So help me God."

Provided, always, that when any person chosen or appointed as aforesaid, shall be of the denomination of the people called Quakers, and shall decline taking the said oath(s), he shall make his affirmation in the

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foregoing form, and subscribe the same, omitting the words, ("I do swear," "and abjure," "oath or," "and abjuration." in the first oath, and in the second oath, the words "swear and," and (in each of them) the words "So help me God;" subjoining instead thereof, "This I do under the pains and penalties of perjury." (See amendments, Art. VI.)

And the said oaths or affirmations shall be taken and subscribed by the Governor, Lieutenant-Governor and Councilors, before the President of the Senate, in the presence of the two houses of Assembly; and by the Senators and Representatives first elected under this Constitution, before the President and five of the Council of the former Constitution; and forever afterwards before the Governor and Council for the time being; and by the residue of the officers aforesaid, before such persons and in such manner as from time to time shall be prescribed by the Legislature.

Art. VI. Instead of the oath of allegiance prescribed by the Constitution, the following oath shall be taken and subscribed by every person chosen or appointed to any office, civil or military, under the government of this Commonwealth, before he shall enter on the duties of his office, to-wit:

"I, A. B., do solemnly swear, that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the Constitution thereof. So help me God."

Provided, That when any person shall be of the denomination called Quakers, and shall decline taking said oath, he shall make his affirmation in the foregoing form, omitting the word "swear" and inserting, instead thereof, the word "affirm," and omitting the words "So help me God," and subjoining, instead thereof, the words, "This I do under the pains and penalties of perjury."

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MICHIGAN.**1. XVIII.**

Members of the Legislature, and all officers, executive and judicial, except such officers as may by law be exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of this State, and that I will faithfully discharge the duties of the office of ——— according to the best of my ability." And no other oath, declaration or test shall be required as a qualification for any office or public trust.

MINNESOTA.**29. IV.**

All members and officers of both branches of the Legislature, shall, before entering upon the duties of their respective trusts, take and subscribe an oath or affirmation to support the Constitution of the United States, the Constitution of the State of Minnesota, and faithfully and impartially to discharge the duties devolving upon him as such member or officer.

8. V.

Each officer created by this article, shall, before entering upon his duties, take an oath or affirmation to support the Constitution of the United States and of this State, and faithfully discharge the duties of his office to the best of his judgment and ability.

3. XV.

The Legislature shall provide for a uniform oath or affirmation to be administered at elections, and no person shall be compelled to take any other or different form of oath to entitle him to vote.

MISSISSIPPI.**40. IV.**

Members of the Legislature before

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entering upon the discharge of their duties shall take the following oath: "I, ———, do solemnly swear (or affirm) that I will faithfully support the Constitution of the United States and of the State of Mississippi; that I am not disqualified from holding office by the Constitution of this State; that I will faithfully discharge my duties as a legislator; that I will, as soon as practicable hereafter carefully read (or have read to me) the Constitution of this State, and will endeavor to note, and as a legislator, to execute all the requirements thereof imposed on the Legislature; and I will not vote for any measure or person because of a promise of any other member of this Legislature to vote for any measure or person, or as a means of influencing him or them to do so. So help me God."

155. VI.

The judges of the several courts of this State shall, before they proceed to execute the duties of their respective offices, take the following oath or affirmation, to wit: "I, ———, solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as ——— according to the best of my ability and understanding, agreeably to the Constitution of the United States, and the Constitution and laws of the State of Mississippi; so help me God."

268. XIV.

All officers elected or appointed to any office in this State, except judges and members of the Legislature, shall, before entering upon the discharge of the duties thereof, take and subscribe the following oath:

"I, ———, do solemnly swear (or

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affirm) that I will faithfully support the Constitution of the United States and the Constitution of the State of Mississippi, and obey the laws thereof; that I am not disqualified from holding the office of ———; that I will faithfully discharge the duties of the office upon which I am about to enter. So help me God."

MISSOURI.**6. XIV.**

All officers, both civil and military, under the authority of this State, shall, before entering on the duties of their respective offices, take and subscribe an oath, or affirmation, to support the Constitution of the United States and of this State, and to demean themselves faithfully in office.

15. IV.

Every Senator and Representative-elect, before entering upon the duties of his office, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States and of the State of Missouri, and faithfully perform the duties of my office; and that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office, other than the compensation allowed by law." The oath shall be administered in the halls of their respective houses, to the members thereof, by some judge of the Supreme Court, or the Circuit Court, or the County Court of Cole county, or, after the organization, by the presiding officer of either house, and shall be filed in the office of the Secretary of State. Any member of either house refusing to take said oath or affirmation shall be deemed to have thereby vacated his office, and any member convicted of hav-

8. X.

ing violated his oath or affirmation shall be deemed guilty of perjury, and be forever thereafter disqualified from holding any office of trust or profit in this State.

MONTANA.**1. XIV.**

Members of the Legislative Assembly and all officers, executive, ministerial or judicial, shall, before they enter upon the duties of their respective offices, take and subscribe the following oath or affirmation, to wit: "I do solemnly swear (or affirm) that I will support, protect and defend the Constitution of the United States and the Constitution of the State of Montana, and that I will discharge the duties of my office with fidelity; and that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election (or appointment) except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law. So help me God." And no other oath, declaration or test shall be required as a qualification for any office or trust.

NEBRASKA.**1. XVI.**

Executive and judicial officers and members of the Legislature, before they enter upon their official duties, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Ne-

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braska, and will faithfully discharge the duties of ——— according to the best of my ability, and that at the election at which I was chosen to fill said office I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office for any official act or influence (for any vote I may give or withhold on any bill, resolution or appropriation.)" Any such officer or member of the Legislature who shall refuse to take the oath herein prescribed shall forfeit his office, and any person who shall be convicted of having sworn falsely to or of violating his oath, shall forfeit his office, and thereafter be disqualified from holding any office of profit or trust in this State, unless he shall have been restored to civil rights.

NEVADA.

2. XIV.

Members of the Legislature and all officers, executive, judicial and ministerial, shall, before they enter upon the duties of their respective offices, take and subscribe to the following oath or affirmation:

"I, ———, do solemnly swear (or affirm) that I will support, protect and defend the Constitution and government of the United States and the Constitution and government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution or law of any State convention or legislature to the contrary notwithstanding; and further, that I do this with a full determination, pledge and purpose, without any mental reservation or evasion whatsoever. And I do further

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solemnly swear (or affirm) that I have not fought a duel, nor sent or accepted a challenge to fight a duel, nor been a second to either party, nor in any manner aided or assisted in such duel, nor been knowingly the bearer of such challenge or acceptance, since the adoption of the Constitution of the State of Nevada, and that I will not be so engaged or concerned, directly or indirectly, in or about any such duel during my continuance in office. And further, that I will well and faithfully perform all the duties of the office of ——— on which I am about to enter; (if on oath), so help me God; (if an affirmation), under the pains and penalties of perjury."

NEW HAMPSHIRE.

Art. 84. Any person chosen Governor, Councilor, Senator, or Representative, military or civil officer (town officers excepted), accepting the trust, shall, before he proceeds to execute the duties of his office, make and subscribe the following declarations, viz.: I, A B, do solemnly swear that I will bear faith and true allegiance to the State of New Hampshire and will support the Constitution thereof. So help me God. I, A B, do solemnly and sincerely swear and affirm that I will faithfully and impartially discharge and perform all the duties incumbent on me as ———, according to the best of my abilities, agreeably to the rules and regulations of this Constitution and the laws of the State of New Hampshire. So help me God. Any person having taken and subscribed the oath of allegiance, and the same being filed in the secretary's office, he shall not be obliged to take said oath again. Provided, always, when any person chosen or appointed as aforesaid shall be of the denomination called Quakers,

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or shall be scrupulous of swearing and shall decline taking the said oaths, such person shall take and subscribe them, omitting the word "swear," and likewise the words "So help me God," subjoining instead thereof, "This I do under the pains and penalties of perjury."

Art. 85. And the oaths and affirmations shall be taken and subscribed by the Governor, before the President of the Senate, in presence of both houses of the Legislature; and by the Senators and Representatives first elected under this Constitution, as altered and amended, before the President of the Senate and a majority of the Council then in office, and forever afterward as altered and amended, before the President of the State and a majority of the Council then in office, and forever afterward before the Governor and Council for the time being; and by all other officers, before such persons and in such manner as the Legislature shall from time to time appoint.

NEW JERSEY.

1. IV.

Members of the Legislature shall before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be), that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will faithfully discharge the duties of Senator (or member of the General Assembly, as the case may be), according to the best of my ability."

And members-elect of the Senate or General Assembly are hereby empowered to administer to each other the said oath or affirmation.

2. IV.

Every officer of the Legislature shall, before he enters upon his

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duties, take and subscribe the following oath or affirmation: "I do solemnly promise and swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of _____ to the best of my ability and understanding; that I will carefully preserve all records, papers, writings or property intrusted to me for safe-keeping by virtue of my office, and make such disposition of the same as may be required by law."

NORTH CAROLINA.

24. II.

Each member of the General Assembly, before taking his seat shall take an oath or affirmation that he will support the Constitution and laws of the United States, and the Constitution of the State of North Carolina, and will faithfully discharge his duty as a member of the Senate or House of Representatives.

4. III.

The Governor, before entering upon the duties of his office, shall, in the presence of the members of both branches of the General Assembly, or before any justice of the Supreme Court, take an oath or affirmation that he will support the Constitution and laws of the United States, and of the State of North Carolina, and that he will faithfully perform the duties appertaining to the office of Governor, to which he has been elected.

4. VI.

Every voter, except as hereinafter provided, shall be eligible to office; but before entering upon the discharge of the duties of his office, he shall take and subscribe the following oath: "I, _____, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and

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that I will faithfully discharge the duties of my office. So help me God."

NORTH DAKOTA.**311. XVII.**

Members of the legislative assembly and judicial department, except such inferior officers as may be by law exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm), as the case may be) that I will support the Constitution of the United States and the Constitution of the State of North Dakota; and that I will faithfully discharge the duties of the office of ——— according to the best of my ability, so help me God" (if an oath) ("under pains and penalties of perjury" if an affirmation), and no other oath, declaration or test shall be required as a qualification for any office or public trust.

OHIO.**7. XV.**

Every person chosen or appointed to any office under this State, before entering upon the discharge of its duties, shall take an oath or affirmation to support the Constitution of the United States, and of this State, and also an oath of office.

OREGON.**7. I.**

The mode of administering an oath or affirmation shall be such as may be most consistent with, and binding upon, the conscience of the person to whom such oath or affirmation may be administered.

31. IV.

The members of the Legislative Assembly shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation.

I do solemnly swear (or affirm, as the case may be,) that I will support

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the Constitution of the United States, and the Constitution of the State of Oregon, and that I will faithfully discharge the duties of Senator (or Representative, as the case may be) according to the best of my ability.

And such oath may be administered by the Governor, Secretary of State, or Judge of the Supreme Court.

21.

Every judge of the Supreme Court, before entering upon the duties of his office, shall take and subscribe, and transmit to the Secretary of State, the following oath:

"I, ———, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Oregon; and that I will faithfully and impartially discharge the duties of judge of the Supreme and Circuit Courts of said State, according to the best of my ability, and that I will not accept any other office except judicial offices, during the term for which I have been elected."

3. XV.

Every person elected or appointed to any office under the Constitution shall, before entering on the duties thereof, take an oath or affirmation to support the Constitution of the United States, and of this State, and also an oath of office.

PENNSYLVANIA.**1. VII.**

Senators and Representatives and all judicial, State and county officers shall, before entering on the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States, and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity; that I have not paid or contributed, or promise to

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pay or contribute, either directly or indirectly, any money or other valuable thing, to procure my nomination or election (or appointment), except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this Commonwealth, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to my office, other than the compensation allowed by law."

The foregoing oath shall be administered by some person authorized to administer oaths, and in the case of State officers and judges of the Supreme Court, shall be filed in the office of the Secretary of the Commonwealth, and in the case of other judicial and county officers, in the office of the prothonotary of the county in which the same is taken; any person refusing to take said oath or affirmation shall forfeit his office; and any person who shall be convicted of having sworn or affirmed falsely, or of having violated said oath or affirmation, shall be guilty of perjury, and be forever disqualified from holding any office of trust or profit within this Commonwealth. The oath of the members of the Senate and House of Representatives shall be administered by one of the judges of the Supreme Court or of a Court of Common Pleas learned in the law, in the hall of the house to which the members shall be elected.

RHODE ISLAND.**3. IX.**

All general officers shall take the following engagement before they act in their respective offices, to wit: You ——— being by the free vote of the electors of this State of Rhode Island and Providence Plantations,

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elected unto the place of ——— do solemnly swear (or affirm) to be true and faithful unto this State and to support the Constitution of this State and of the United States; that you will faithfully and impartially discharge all the duties of your aforesaid office to the best of your abilities, according to law: So help you God. Or, this affirmation you make and give upon the peril of the penalty of perjury.

4. IX.

The members of the General Assembly, the judges of all the courts, and all other officers, both civil and military, shall be bound by oath or affirmation to support this Constitution and the Constitution of the United States.

5. IX.

The oath or affirmation shall be administered to the Governor, Lieutenant-Governor, Senators and Representatives, by the Secretary of State, or, in his absence, by the Attorney-General. The Secretary of State, Attorney-General and General Treasurer shall be engaged by the Governor, or by a justice of the Supreme Court.

SOUTH CAROLINA.**30. II.**

Members of the General Assembly, and all officers, before they enter upon the execution of the duties of their respective offices, and all members of the bar, before they enter upon the practice of their profession, shall take and subscribe the following oath:

"I do solemnly swear (or affirm, as the case may be), that I am duly qualified, according to the Constitution of the United States and of this State, to exercise the duties of the office to which I have been elected (or appointed), and that I will faithfully discharge, to the best of my abilities, the duties thereof; that I recognize the su-

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premacy of the Constitution and laws of the United States over the Constitution and laws of any State; and that I will support, protect and defend the Constitution of the United States, and the Constitution of South Carolina, as ratified by the people on the sixteenth day of April, 1868. So help me God." (And the president of this convention is authorized to fill the blanks in this section whenever he shall receive satisfactory information of the day on which this Constitution shall be ratified.)

20. III.

The Governor and the Lieutenant-Governor, before entering upon the duties of their respective offices, shall take and subscribe the oath of office as prescribed in article two, section thirty, of this Constitution.

SOUTH DAKOTA.**8. III.**

Members of the Legislature and officers thereof, before they enter upon their official duties, shall take and subscribe the following oath or affirmation: I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of South Dakota, and will faithfully discharge the duties of (Senator, Representative or officer) according to the best of my abilities, and that I have not knowingly or intentionally paid or contributed anything, or made any promise in the nature of a bribe, to directly or indirectly influence any vote at the election at which I was chosen to fill said office, and have not accepted, nor will I accept or receive directly or indirectly, any money, pass or any other valuable thing, from any corporation, company or person for any vote or influence I may give or withhold on any bill or resolution, or appropriation, or for any other official act.

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This oath shall be administered by a judge of the Supreme or Circuit Court, or the presiding officer of either house, in the hall of the house to which the member or officer is elected, and the Secretary of State shall record and file the oath subscribed by each member and officer.

Any member or officer of the Legislature who shall refuse to take the oath herein prescribed shall forfeit his office.

Any member or officer of the Legislature who shall be convicted of having sworn falsely to, or violated his said oath, shall forfeit his office, and be disqualified thereafter from holding the office of Senator or member of the House of Representatives, or any office within the gift of the Legislature.

3. XII.

Oath of office.—Every person elected or appointed to any office in this State, except such inferior offices as may be by law exempted, shall, before entering upon the duties thereof, take an oath or affirmation to support the Constitution of the United States and of this State, and faithfully to discharge the duties of his office.

13. XXVI.

The Legislature elected under the provisions of this ordinance and Constitution shall assemble at the temporary seat of government on the third Tuesday in October, in the year A. D. 1889, at twelve o'clock noon, and on the first day of their assemblage the Governor and other State officers shall take the oath of office in the presence of the Legislature. The oath of office shall be administered to the members of the Legislature and to the State officers by the chief justice of the Territory, or by any other officer duly authorized by the laws of the Territory of Dakota to administer oaths.

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TENNESSEE.**1. X.**

Every person who shall be chosen or appointed to any office of trust or profit under this Constitution, or any law made in pursuance thereof, shall, before entering upon the duties thereof, take an oath to support the Constitution of this State and of the United States, and an oath of office.

2. X.

Each member of the Senate and House of Representatives shall, before they proceed to business, take an oath or affirmation to support the Constitution of this State and of the United States, and also the following oath: "I, ———, do solemnly swear (or affirm) that, as a member of this General Assembly, I will, in all appointments, vote without favor, affection, partiality or prejudice; and that I will not propose or assent to any bill, vote or resolution which shall appear to me injurious to the people, or consent to any act or thing whatever that shall have a tendency to lessen or abridge their rights and privileges as declared by the Constitution of this State."

3.

Every judge and every officer of the executive department of this State, and every sheriff holding over under this Constitution, shall, within twenty days after the ratification of this Constitution is proclaimed, take an oath to support the same; and the failure of any officer to take such oath shall vacate his office.

TEXAS.**1. XVI.**

Members of the Legislature and all officers, before they enter upon the duties of their offices, shall take the following oath or affirmation: "I ———, do solemnly swear (or affirm), that I will faithfully and impartially discharge and perform all the duties incumbent upon me

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as ———, according to the best of my skill and ability, agreeably to the Constitution and laws of the United States and of this State; and I do further solemnly swear (or affirm), that since the adoption of the Constitution of this State, I, being a citizen of this State, have not fought a duel with deadly weapons, within this State nor out of it, nor have I sent nor accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in carrying a challenge, or aided, advised or assisted any person thus offending: And I furthermore solemnly swear (or affirm), that I have not, directly nor indirectly, paid, offered or promised to pay, contributed nor promised to contribute, any money or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected (or, if the office is one of appointment, to secure my appointment): So help me God."

VERMONT.**1.**

The Representatives having met on the day appointed by law for the commencement of a biennial session of the General Assembly, and chosen their Speaker, and the Senators having met, shall, before they proceed to business, take and prescribe the following oath in addition to the oath now prescribed:

"You, ———, do solemnly swear (or affirm) that you did not at the time of your election to this body, and that you do not now hold, any office of profit or trust under the authority of Congress. So help me God." Or, in the case of affirmation, "Under the pains and penalties of perjury."

12.

¶

The Representatives having met, and

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chosen their speaker and clerk, shall each of them, before they proceed to business, take and subscribe, as well the oath or affirmation of allegiance hereinafter directed (except where they shall produce certificates of their having heretofore taken and subscribed the same) as the following oath or affirmation, viz.:

"You, ———, do solemnly swear (or affirm) that as a member of this Assembly, you will not propose or assent to any bill, vote or resolution which shall appear to you injurious to the people, nor do or consent to any act or thing whatever, that shall have a tendency to lessen or abridge their rights and privileges, as declared by the Constitution of this State; but will, in all things, conduct yourself as a faithful, honest representative and guardian of the people, according to the best of your judgment and abilities. (In case of an oath) so help me God. (And in case of an affirmation) under the pains and penalties of perjury."

29.

Every officer, whether judicial, executive or military, in authority under this State, before he enters upon the execution of his office, shall take and subscribe the following oath or affirmation of allegiance to this State (unless he shall produce evidence that he has before taken the same), and also the following oath or affirmation of office, except military officers, and such as shall be exempted by the Legislature.

"You do solemnly swear (or affirm) that you will be true and faithful to the State of Vermont, and that you will not, directly or indirectly, do any act or thing injurious to the Constitution or government thereof, as established by convention. (If an oath) so help you God. (If an affirmation) under the pains and penalties of perjury."

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"You, ———, do solemnly swear (or affirm) that you will faithfully execute the office of ——— for the ——— of ———; and will therein do equal right and justice to all men, to the best of your judgment and abilities, according to law. (If an oath) so help you God. (If an affirmation) under the pains and penalties of perjury."

VIRGINIA.

5. III.

All persons, before entering upon the discharge of any function as officers of this State, must take and subscribe the following oath or affirmation:

"I, ———, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States and the Constitution and laws of the State of Virginia; that I recognize and accept the civil and political equality of all men before the law, and that I will faithfully perform the duty of ——— to the best of my ability. So help me God."

WASHINGTON.

6. I.

The mode of administering an oath or affirmation shall be such as may be most consistent with and binding upon the conscience of the person to whom such oath or affirmation may be administered.

28. IV.

Every judge of the Supreme Court, and every judge of the Superior Court, shall, before entering upon the duties of his office, take and subscribe an oath that he will support the Constitution of the United States and the Constitution of the State of Washington, and will faithfully and impartially discharge the duties of judge to the best of his ability, which oath shall be filed in the office of the Secretary of State.

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WEST VIRGINIA.**5. IV.**

Every person elected or appointed to any office, before proceeding to exercise the authority, or discharge the duties thereof, shall make oath or affirmation that he will support the Constitution of the United States and the Constitution of this State, and that he will faithfully discharge the duties of his said office to the best of his skill and judgment; and no other oath, declaration, or test shall be required as a qualification, unless herein otherwise provided.

16. VI.

Members of the Legislature, before they enter upon their duties, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of West Virginia, and faithfully discharge the duties of Senator (or Delegate) according to the best of my ability;" and they shall also take this further oath, to wit: "I will not accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, for any vote or influence I may give or withhold, as Senator (or Delegate) on any bill, resolution or appropriation, or for any act I may do or perform as Senator (or Delegate)." Those oaths shall be administered in the hall of the house to which the member is elected, by a judge of the Supreme Court of Appeals, or of a Circuit Court, or by any other person authorized by law to administer an oath; and the Secretary of State shall record and file said oaths subscribed by each member; and no other oath or declaration shall be required as a qualification. Any member who shall refuse to take the oath herein pre-

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scribed shall forfeit his seat; and any member who shall be convicted of having violated the oath last above required to be taken shall forfeit his seat and be disqualified thereafter from holding any office of profit or trust in this State.

WISCONSIN.**28. VI.**

Members of the Legislature and all officers, executive and judicial, except such inferior officers as may be by law exempted, shall, before they enter upon the duties of their respective offices, take and subscribe an oath or affirmation to support the Constitution of the United States and the Constitution of the State of Wisconsin, and faithfully to discharge the duties of their respective offices to the best of their ability.

WYOMING.**20. VI.**

Senators and Representatives and all judicial, State and county officers shall, before entering upon the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States, and the Constitution of this State, and that I will discharge the duties of my office with fidelity; that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing, to procure my nomination or election (or appointment) except for necessary and proper expenses expressly authorized by law; that I have not, knowingly, violated any election law of the State, or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining

Oath of Office.

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to my office, other than the compensation allowed by law."

21. VI.

The foregoing oath shall be administered by some person authorized to administer oaths, and in the case of State officers and judges of the Supreme Court shall be filed in the office of the Secretary of State, and in the case of other judicial and county officers, in the office of the clerk of the county in which the same is taken; any person refusing to take said oath or affirmation shall forfeit his office, and any person who shall be convicted of having sworn or affirmed falsely, or of having violated said oath or affirmation, shall be guilty of perjury, and be forever disqualified from holding any office of trust or profit within this state

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The oath to members of the Senate, and House of Representatives shall be administered by one of the judges of the Supreme Court or a justice of the peace, in the hall of the house to which the members shall be elected.

12. XXI.

All officers elected at such election, except members of the Legislature shall, within thirty days after they have been declared elected, take the oath required by this Constitution, and give the same bond required by the law of the territory or district, and shall thereupon enter upon the duties of their respective offices; but the Legislature may require by law all such officers to give other and further bonds as a condition of their continuance in office.

Bribery and Corruption.

BRIBERY AND CORRUPTION.

1 Sec. 2. Any person holding office under the laws of
 2 this State, who, except in payment of his legal salary, fees or
 3 perquisites, shall receive or consent to receive, directly or
 4 indirectly, anything of value or of personal advantage, or the
 5 promise thereof, for performing or omitting to perform any
 6 official act, or with the express or implied understanding that
 7 his official action or omission to act is to be in any degree
 8 influenced thereby, shall be deemed guilty of a felony. This
 9 section shall not affect the validity of any existing statute in
 10 relation to the offense of bribery.

Sec. Art.**ALABAMA.****40. IV.**

A member of the General Assembly who shall corruptly solicit, demand or receive, or consent to receive, directly or indirectly, for himself, or for another, from any company, corporation or person, any money, office appointment, employment, reward, thing of value or enjoyment, or of personal advantage or promise thereof, for his vote or official influence, or for withholding the same, or with an understanding, expressed or implied, that his vote or official action shall be in any way influenced thereby, or who shall solicit or demand any such money or other advantage, matter or thing aforesaid for another, as the consideration of his vote or official influence, or for withholding the same, or shall give or withhold his vote

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or influence in consideration of the payment or promise of such money, advantage, matter or thing to another, shall be guilty of bribery within the meaning of this Constitution, and shall incur the disabilities provided for such offense, and such additional punishment as is or shall be provided by law.

COLORADO.**6. VII.**

Any civil officer or member of the General Assembly who shall solicit, demand or receive, or consent to receive, directly or indirectly, for himself or for another, from any company, corporation or person, any money, office, appointment, employment, testimonial, reward, thing of value or enjoyment, or of personal advantage or promise thereof, for his vote, official influence or action, or for with-

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holding the same, or with an understanding that his official influence or action shall be in any way influenced thereby, or who shall solicit or demand any such money or advantage, matter or thing aforesaid for another, as the consideration of his vote, official influence or action, or for withholding the same, or shall give or withhold his vote, official influence or action in consideration of the payment or promise of such money, advantage, matter or thing to another, shall be held guilty of bribery, or solicitation of bribery, as the case may be, within the meaning of this Constitution, and shall incur the disabilities provided thereby for such offense, and such additional punishment as is or shall be prescribed by law.

NORTH DAKOTA.

81. III.

Any Governor of this State who asks, receives or agrees to receive any bribe upon any understanding that his official opinion, judgment or action shall be influenced thereby, or who gives or offers, or promises his official influence in consideration that any member of the Legislative Assembly shall give his official vote or influence on any particular side of any question or matter upon which he may be required to act in his official capacity, or who menaces any member by the threatened use of his veto power, or who offers or promises any member that he, the said Governor, will appoint any particular person or persons to any office created or thereafter to be created in consideration that any member shall give his official vote or influence on any matter pending or thereafter to be introduced

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into either house of said Legislative Assembly, or who threatens any member that he, the said Governor, will remove any person or persons from office or position with intent in any manner to influence the action of said member, shall be punished in the manner now or that may hereafter be provided by law, and upon conviction thereof, shall forfeit all right to hold or exercise any office of trust or honor in this State.

PENNSYLVANIA.

29. III.

A member of the General Assembly who shall solicit, demand or receive, or consent to receive, directly or indirectly, for himself or for another, or from any company, corporation or person, any money, office, appointment, employment, testimonial, reward, thing of value or enjoyment, or of personal advantage, or promise thereof, for his vote or official influence, or for withholding the same, or with an understanding, expressed or implied, that his vote or official action shall be in an way influenced thereby, or who shall solicit or demand any such money or other advantage, matter or thing aforesaid for another, as the consideration of his vote or official influence or for withholding the same, or shall give or withhold his vote or influence in consideration of the payment or promise of such money, advantage, matter or thing to another, shall be held guilty of bribery within the meaning of this Constitution, and shall incur the disabilities provided thereby for said offense, and such additional punishment as is or shall be provided by law.

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SOUTH DAKOTA.**11. IV.**

Any Governor of this State who asks, receives, or agrees to receive any bribe upon any understanding that his official opinion, judgment or action shall be influenced thereby, or who gives or offers, or promises his official influence in consideration that any member of the Legislature shall give his official vote or influence on any particular side of any question or matter upon which he may be required to act in his official capacity, or who menaces any member by the threatened use of his veto power, or who offers or promises any member that he the Governor, will appoint any particular person or persons to any office created, or thereafter to be created, in consideration that any member shall give his official vote or influence on any matter pending or thereafter to be introduced into either house of said Legislature, or who threatens any member that he, the said Governor, will remove any person or persons from any office or position with intent to in any manner influence the official action of said member, shall be punished in the manner now, or that may hereafter be, provided by law, and upon conviction thereof, shall forfeit all right to hold or exercise any office of trust or honor in this State.

TENNESSEE.**3. X.**

Any elector who shall receive any gift or reward for his vote, in meat, drink, money, or otherwise, shall suffer such punishment as the laws shall direct. And any person who shall, di-

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rectly or indirectly, give, promise or bestow any such reward to be elected, shall thereby be rendered incapable, for six years, to serve in the office for which he was elected, and be subject to such further punishment as the Legislature shall direct.

WYOMING.**10. IV.**

Any Governor of this State who asks, receives or agrees to receive any bribe upon any understanding that his official opinion, judgment or action shall be influenced thereby, or who gives, or offers, or promises his official influence in consideration that any member of the Legislature shall give his official vote or influence on any particular side of any question or matter upon which he is required to act in his official capacity, or who menaces any member by the threatened use of his veto power, or who offers or promises any member that he, the Governor, will appoint any particular person or persons to any office created, or thereafter to be created, in consideration that any member shall give his official vote or influence on any matter pending or thereafter to be introduced into either house of said Legislature, or who threatens any member that he, the Governor, will remove any person or persons from office or position with intent in any manner to influence the action of said member, shall be punished in the manner now, or that may hereafter be, provided by law, and upon conviction thereof, shall forfeit all right to hold or exercise any office of trust or honor in this State.

Offer of Bribery a Felony.

OFFER OF BRIBERY A FELONY.

1 Sec. 3. Any person who shall offer or promise a bribe
 2 to an officer, if it shall be received, shall be deemed guilty of a
 3 felony and liable to punishment, except as herein provided.
 4 No person offering a bribe shall, upon any prosecution of the
 5 officer for receiving such bribe be privileged from testifying
 6 in relation thereto, and he shall not be liable to civil or crimi-
 7 nal prosecution therefor, if he shall testify to the giving or
 8 offering of such bribe. Any person who shall offer or promise
 9 a bribe, if it be rejected by the officer to whom it was tendered,
 10 shall be deemed guilty of an attempt to bribe, which is hereby
 11 declared to be a felony.

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ALABAMA.

41. IV.

Any member who shall directly or indirectly, offer, give or promise any money or thing of value, testimonial, privilege or personal advantage to any executive or judicial officer, or member of the General Assembly, to influence him in the performance of any of his public or official duties, shall be guilty of bribery and be punished in such manner as shall be provided by law.

42. IV.

The offense of corrupt solicitation of members of the General Assembly, or of public officers of this State, or of any municipal division thereof, and any occupation or practice of solicitation of such members, or offi-

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cers, to influence their official action, shall be defined by law, and shall be punished by fine and imprisonment.

ARKANSAS.

35. V.

Any person who shall, directly or indirectly, offer, give or promise any money or thing of value, testimonial, privilege or personal advantage to any executive or judicial officer or member of the General Assembly, and any such executive or judicial officer or member of the General Assembly who shall receive or consent to receive any such consideration, either directly or indirectly, to influence his action in the performance or non-performance of his public or offi-

Offer of Bribery a Felony.

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cial duty, shall be guilty of a felony and be punished accordingly.

CALIFORNIA.**35. IV.**

Any person who seeks to influence the vote of a member of the Legislature by bribery, promise of reward, intimidation or any other dishonest means, shall be guilty of lobbying, which is hereby declared a felony; and it shall be the duty of the Legislature to provide, by law, for the punishment of this crime. Any member of the Legislature who shall be influenced, in his vote or action upon any matter pending before the Legislature, by any reward, or promise of future reward, shall be deemed guilty of a felony, and upon conviction thereof, in addition to such punishment as may be provided by law, shall be disfranchised and forever disqualified from holding any office or public trust. Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be charged with having committed the offense of bribery or corrupt solicitation, or with having been influenced in his vote or action, as a member of the Legislature, by reward, or promise of future reward, and shall not be permitted to withhold his testimony upon the ground that it may criminate himself, or subject him to public infamy; but such testimony shall not afterwards be used against him in any judicial proceeding, except for perjury in giving such testimony.

10. XX.

Every person shall be disqualified from holding any office of profit in this State who shall have been convicted of having given or offered a bribe to pro-

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cure his election or appointment.

COLORADO.**40. V.**

If any person elected to either house of the General Assembly shall offer or promise to give his vote or influence in favor of or against any measure or proposition, pending or proposed to be introduced into the General Assembly, in consideration or upon condition that any other person elected to the same General Assembly will give or will promise or assent to give his vote or influence in favor of or against any other proposition, pending or proposed to be introduced in such General Assembly, the person making such offer or promise, shall be deemed guilty of solicitation of bribery. If any member of the General Assembly shall give his vote or influence for or against any measure or proposition pending in such General Assembly, or offer, promise or assent so to do, upon condition that any other member will give or will promise or assent to give his vote or influence in favor of or against any other measure or proposition pending or proposed to be introduced in such General Assembly, or in consideration that any other member hath given his vote or influence for or against any other measure or proposition in such General Assembly, he shall be deemed guilty of bribery, and any member of the General Assembly, or person elected thereto; who shall be guilty of either of such offenses shall be expelled and shall not be thereafter eligible to the same General Assembly; and, on the conviction thereof in the civil courts, shall be liable to such further penalty as may be prescribed by law.

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41. V.

Any person who shall directly or indirectly offer, give or promise any money or thing of value, testimonial, privilege or personal advantage to any executive or judicial officer or member of the General Assembly to influence him in the performance of any of his public or official duties, shall be deemed guilty of bribery, and be punished in such manner as shall be provided by law.

42. V.

The offense of corrupt solicitation of members of the General Assembly, or of public officers of the State, or of any municipal division thereof, and any occupation or practice of solicitation of such members or officers to influence their official action, shall be defined by law, and shall be punished by fine and imprisonment.

KANSAS.

6. V.

Every person who shall have given or offered a bribe to procure his election, shall be disqualified from holding office during the term for which he may have been elected.

KENTUCKY.

151.

The General Assembly shall provide suitable means for depriving of office any person who, to procure his nomination or election, has, in his canvass or election, been guilty of any unlawful use of money, or other thing of value, or has been guilty of fraud, intimidation, bribery or any other corrupt practice, and he shall be held responsible for acts done by others with his authority, or ratified by him.

150.

Every person shall be disquali-

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fied from holding any office of trust or profit for the term for which he shall have been elected, who shall be convicted of having given, or consented to the giving, offer or promise of any money or other thing of value, to procure his election, or to influence the vote of any voter at such election; and if any corporation shall, directly or indirectly, offer, promise or give, or shall authorize, directly or indirectly, any person to offer, promise or give any money or any thing of value to influence the result of any election in this State, or the vote of any voter authorized to vote therein, or who shall afterward reimburse or compensate, in any manner whatever, any person who shall have offered, promised or given any money or other thing of value to influence the result of an election or the vote of any such voter, such corporation, if organized under the laws of this Commonwealth, shall, on conviction thereof, forfeit its charter and all rights, privileges and immunities thereunder; and if chartered by another State and doing business in this State whether by license, or upon mere sufferance, such corporation upon conviction of either of the offenses aforesaid, shall forfeit all right to carry on any business in this State; and it shall be the duty of the General Assembly to provide for the enforcement of the provisions of this section. All persons shall be excluded from office who have been, or shall hereafter be, convicted of a felony, or of such high misdemeanor as may be, prescribed by law, but such disability may be removed by pardon of the Governor. The privilege of free suffrage shall be supported by laws regulating

Offer of Bribery a Felony.

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elections, and prohibiting, under adequate penalties, all undue influence thereon, from power, bribery, tumult or other improper practices.

LOUISIANA.

173.

Any person who shall directly or indirectly offer or give any sum or sums of money, bribe, present, reward, promise or any other thing to any officer, State, parochial or municipal, or to any member or officer of the General Assembly with the intent to induce or influence such officer or member of the General Assembly to appoint any person to office, to vote or exercise any power in him vested or to perform any duty of him required, with partiality or favor, the person giving, or offering to give, and the officer or member of the General Assembly so receiving any money, bribe, present, reward, promise contract, obligation or security, with the intent or for the purpose or consideration aforesaid, shall be guilty of bribery, and on being found guilty thereof by any court of competent jurisdiction, or by either house of the General Assembly of which he may be a member or officer, shall be forever disqualified from holding any office, State, parochial or municipal, and shall be forever ineligible to a seat in the General Assembly: Provided, That this shall not be so construed as to prevent the General Assembly from enacting additional penalties.

174.

Any person shall be compelled to testify in any lawful proceeding against any one who may be charged with having committed the offense of bribery, and shall not be permitted to

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withhold his testimony upon the ground that it may criminate him or subject him to public infamy; but such testimony shall not afterwards be used against him in any judicial proceedings, except for perjury in giving such testimony.

MARYLAND.

50. III.

It shall be the duty of the General Assembly, at its first session, held after the adoption of this Constitution, to provide by law for the punishment, by fine, or imprisonment in the penitentiary, or both, in the discretion of the court, of any person, who shall bribe, or attempt to bribe, any executive, or judicial officer of the State of Maryland, or any member, or officer of the General Assembly of the State of Maryland, or of any municipal corporation in the State of Maryland, or any executive officer of such corporation, in order to influence him in the performance of any of his official duties; and, also, to provide by law for the punishment, by fine, or imprisonment in the penitentiary, or both, in the discretion of the court, of any of said officers, or members, who shall demand or receive any bribe, fee, reward or testimonial, for the performance of his official duties, or for neglecting or failing to perform the same; and, also, to provide by law for compelling any person, so bribing or attempting to bribe, or so demanding or receiving a bribe, fee, reward or testimonial, to testify against any person or persons who may have committed any of said offenses: Provided, That any person so com-

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pelled to testify, shall be exempted from trial and punishment for the offense of which he may have been guilty; and any person convicted of such offense, shall, as part of the punishment thereof, be forever disfranchised and disqualified from holding any office of trust or profit in this State.

MONTANA.

41. V.

If any person elected to either house of the Legislative Assembly shall offer or promise to give his vote or influence in favor of or against any measure or proposition, pending or proposed to be introduced into the Legislative Assembly, in consideration or upon condition that any other person elected to the same Legislative Assembly will give, or will promise or assent to give, his vote or influence, in favor of or against any other measure or proposition pending or proposed to be introduced into such Legislative Assembly, the person making such offer or promise shall be deemed guilty of solicitation of bribery. If any member of the Legislative Assembly shall give his vote or influence for or against any measure or proposition pending or proposed to be introduced in such Legislative Assembly, or offer, promise or assent so to, upon condition that any other member will give, or will promise or assent to give his vote or influence in favor of or against any other measure or proposition pending or proposed to be introduced in such Legislative Assembly, or in consideration that any other member hath given his vote or influence for or against and other measure or proposition in such Legislative Assembly, he shall be

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deemed guilty of bribery, and any member of the Legislative Assembly, or person elected thereto, who shall be guilty of either such offenses, shall be expelled and shall not thereafter be eligible to the Legislative Assembly, and on the conviction thereof in the civil courts, shall be liable to such further penalty as may be prescribed by law.

42. V.

Any person who shall directly or indirectly offer, give or promise any money or thing of value, testimonial, privilege or personal advantage, to any executive or judicial officer or member of the Legislative Assembly, to influence him in the performance of any of his official or public duties, shall be deemed guilty of bribery, and be punished in such manner as shall be provided by law.

43. V.

The offense of corrupt solicitation of members of the Legislative Assembly, or of public officers of the State, or of any municipal division thereof, and the occupation or practice of solicitation of such members or officers, to influence their official action, shall be defined by law, and shall be punished by fine and imprisonment.

NEVADA.

10. IV.

Any person who shall be convicted of the embezzlement or defalcation of the public funds of this State, or who may be convicted of having given or offered a bribe to procure his election or appointment to office, or received a bribe to aid in the procurement of office for any other person, shall be disqualified from holding any office of profit or trust in this State; and the Legislature shall, as soon

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as practicable, provide by law for the punishment of such defalcation, bribery, or embezzlement as a felony.

NORTH DAKOTA.**40. XII.**

If any person elected to either house of the Legislative Assembly shall offer or promise to give his vote or influence in favor of, or against any measure or proposition pending or proposed to be introduced into the Legislative Assembly, in consideration, or upon conditions, that any other person elected to the same Legislative Assembly will give, or will promise or assent to give, his vote or influence in favor of or against any other measure or proposition, pending or proposed to be introduced into such Legislative Assembly, the person making such offer or promise shall be deemed guilty of solicitation of bribery. If any member of the Legislative Assembly shall give his vote or influence for or against any measure or proposition, pending or proposed to be introduced into such Legislative Assembly, or offer, promise or assent so to do upon condition that any other member will give, promise or assent to give his vote or influence in favor of or against any other such measure or proposition pending or proposed to be introduced into such Legislative Assembly, or in consideration that any other member hath given his vote or influence, for or against any other measure or proposition in such Legislative Assembly, he shall be deemed guilty of bribery. Any such person, member of the Legislative Assembly or person elected thereto, who shall be guilty of either such offenses, shall be expelled,

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and shall not thereafter be eligible to the Legislative Assembly, and on the conviction thereof in the civil courts, shall be liable to such further penalty as may be prescribed by law.

OREGON.**7. II.**

Every person shall be disqualified from holding office during the term for which he may have been elected, who shall have given or offered a bribe, threat, or reward to procure his election.

PENNSYLVANIA.**30. III.**

Any person who shall, directly or indirectly, offer, give or promise, any money, or thing of value, testimonial, privilege, or personal advantage, to any executive or judicial officer, or member of the General Assembly, to influence him in the performance of any of his public or official duties, shall be guilty of bribery, and be punished in such manner as shall be provided by law.

31. III.

The offense of corrupt solicitation of members of the General Assembly or of public officers of the State or of any municipal division thereof, and any occupation or practice of solicitation of such members of officers to influence their official action, shall be defined by law, and shall be punished by fine and imprisonment.

32. III.

Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be charged with having committed the offense of bribery or corrupt solicitation, or practices of

Offer of Bribery a Felony.

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solicitation, and shall not be permitted to withhold his testimony upon the ground that it may criminate himself or subject him to public infamy; but such testimony shall not afterwards be used against him in any judicial proceeding, except for perjury in giving such testimony, and any person convicted of either of the offenses aforesaid shall, as part of the punishment therefor, be disqualified from holding any office or position of honor, trust or profit in this Commonwealth.

RHODE ISLAND.**2. IX.**

Every person shall be disqualified from holding any office to which he may have been elected, if he be convicted of having offered or procured any other person to offer, any bribe to secure his election, or the election of any other person.

SOUTH DAKOTA.**28. III.**

Any person who shall give, demand, offer, directly or indirectly, any money, testimonial, privilege or personal advantage, thing of value to any executive or judicial officer or member of the Legislature, to influence him in the performance of any of his official or public duties, shall be guilty of bribery, and shall be punished in such manner as shall be provided by law. The offense or corrupt solicitation of members of the Legislature, or of public officers of the State, or any municipal division thereof, and any effort toward solicitation of said members of the Legislature or officers to influence their official action shall be defined by law, and shall be punished by fine and imprisonment.

Any person may be compelled to

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testify in investigations or judicial proceedings against any person charged with having committed an offense of bribery or corrupt solicitation, and shall not be permitted to withhold his testimony upon the ground that it may criminate himself, but said testimony shall not afterwards be used against him in any judicial proceeding except for bribery in giving such testimony, and any person convicted of either of the offenses aforesaid shall be disqualified from holding any office or position or office of trust or profit in this State.

TEXAS.**5. XVI.**

Every person shall be disqualified from holding any office of profit or trust in this State who shall have been convicted of having given or offered a bribe to procure his election or appointment.

41. XVI.

Any person who shall, directly or indirectly, offer, give or promise any money or thing of value, testimonial, privilege or personal advantage to any executive or judicial officer or member of the Legislature, to influence him in the performance of any of his public or official duties, shall be guilty of bribery, and be punished in such manner as shall be provided by law. And any member of the Legislature, or executive or judicial officer, who shall solicit, demand or receive, or consent to receive, directly or indirectly, for himself or for another, from any company, corporation or person, any money, appointment, employment, testimonial, reward, thing of value or enjoyment, or of personal advantage or promise thereof, for his vote or official influence, or for withholding the

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same, or with any understanding, expressed or implied, that his vote or official action shall be in any way influenced thereby, or who shall solicit, demand and receive any such money or other advantage, matter or thing aforesaid for another, as the consideration of his vote or official influence, in consideration of the payment or promise of such money, advantage, matter or thing to another, shall be held guilty of bribery within the meaning of this Constitution, and shall incur the disabilities provided for said offenses, with a forfeiture of the offices they may hold, and such other additional punishment as is or shall be provided by law.

WASHINGTON.**30. II.**

The offense of corrupt solicitation of members of the Legislature, or of public officers of the State or any municipal division thereof, and any occupation or practice of solicitation of such members or officers to influence their official action, shall be defined by law, and shall be punished by fine and imprisonment. Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be charged with having committed the offense of bribery or corrupt solicitation, or practice of solicitation, and shall not be permitted to withhold his testimony on the ground that it may criminate himself or subject him to public infamy, but such testimony shall not afterwards be used against him in any judicial proceeding—except for perjury in giving such testimony—and any person convicted of either of the offenses aforesaid, shall, as part

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of the punishment therefor, be disqualified from ever holding any position of honor, trust or profit in this State. A member who has a private interest in any bill or measure proposed or pending before the Legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon.

WEST VIRGINIA.**45. VI.**

It shall be the duty of the Legislature, at its first session after the adoption of this Constitution, to provide, by law, for the punishment by imprisonment in the penitentiary of any person who shall bribe, or attempt to bribe, any executive or judicial officer of this State, or any member of the Legislature, in order to influence him, in the performance of any of his official or public duties; and also to provide by law for the punishment by imprisonment in the penitentiary of any of said officers, or any member of the Legislature, who shall demand or receive from any corporation, company or person any money, testimonial or other valuable thing, for the performance of his official or public duties, or for refusing or failing to perform the same, or for any vote or influence a member of the Legislature may give or withhold as such member; and also to provide by law for compelling any person so bribing, or attempting to bribe, or so demanding or receiving a bribe, fee, reward or testimonial, to testify against any person or persons who may have committed any of said offenses: Provided, That any person so compelled to testify shall be exempted from trial and punishment for the offense of which he may have been guilty, and con-

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cerning which he is compelled to testify; and any person convicted of any of the offenses specified in this section shall, as a part of the punishment thereof, be forever disqualified from holding any office or position of honor, trust or profit in this State.

WYOMING.

42. III.

If any person elected to either house of the Legislature shall offer or promise to give his vote or influence in favor of or against any measure or proposition pending or to be introduced into the Legislature, in consideration or upon condition that any other person elected to the same Legislature will give or promise or assent to give his vote or influence in favor of or against any other measure or proposition pending or proposed to be introduced into such Legislature, the person making such offer or promise shall be deemed guilty of solicitation of bribery. If any member of the Legislature will give his vote or influence for or against any measure or proposition pending or to be introduced in such Legislature, or offer, promise or assent thereto, upon condition that any other member will give or will promise or assent to give his vote or influence in favor of or against any such measure or proposition pending or to be introduced in such Legislature, or in consideration that any other member has given his vote or influence for or against any other measure or proposition in such Legislature, he shall be

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deemed guilty of bribery, and any member of the Legislature or person elected thereto who shall be guilty of either of such offenses, shall be expelled, and shall not thereafter be eligible to the Legislature, and on conviction thereof in the civil courts shall be liable to such further penalty as may be prescribed by law.

44. III.

Any person may be compelled to testify in any lawful investigation or judicial proceedings against any person who may be charged with having committed the offense of bribery or corrupt solicitation, or practices of solicitation, and shall not be permitted to withhold his testimony upon the ground that it may criminate himself or subject him to public infamy but such testimony shall not afterwards be used against him in any judicial proceeding, except for perjury in giving such testimony, and any person convicted of either of the offenses aforesaid shall, as part of the punishment therefor, be disqualified from holding any office or position of honor, trust or profit in this State.

45. III.

The offense of corrupt solicitation of members of the Legislature or of public officers of the State, or of any municipal division thereof, and the occupation or practice of solicitation of such members or officers to influence their official action, shall be defined by law and shall be punished by fine and imprisonment.

Witness as to Bribery.

WITNESS.

1 Sec. 4. Any person charged with receiving a bribe, or
2 with offering or promising a bribe, shall be permitted to testify
3 in his own behalf in any civil or criminal prosecution therefor.

Free Passes or Transportation, a Misdemeanor.

FREE PASSES OR TRANSPORTATION, A MISDEMEANOR.

1 Sec. 5. No public officer, or person elected or appointed
2 to a public office, under the laws of this State, shall directly
3 or indirectly ask, demand, accept, receive or consent to receive
4 for his own use or benefit, or for the use or benefit of another,
5 any free pass, free transportation, franking privilege or dis-
6 crimination in passenger, telegraph or telephone rates, from
7 any person or corporation, or make use of the same himself or
8 in conjunction with another. A person who violates any pro-
9 vision of this section, shall be deemed guilty of a misdemeanor,
10 and shall forfeit his office at the suit of the Attorney-General.
11 Any corporation, or officer or agent thereof, who shall offer or
12 promise to a public officer, or person elected or appointed to a
13 public office, any such free pass, free transportation, frank-
14 ing privilege or discrimination, shall also be deemed guilty of
15 a misdemeanor and liable to punishment except as herein pro-
16 vided. No person, or officer or agent of a corporation giving
17 any such free pass, free transportation, franking privilege or
18 discrimination hereby prohibited, shall be privileged from testi-
19 fying in relation thereto, and he shall not be liable to civil or
20 criminal prosecution therefor if he shall testify to the giving
21 of the same.

Removal of District Attorney.

REMOVAL OF DISTRICT ATTORNEY.

1 Sec. 6. Any district attorney who shall fail faithfully to
2 prosecute a person charged with the violation in his county of
3 any provision of this article which may come to his knowl-
4 edge, shall be removed from office by the Governor, after due
5 notice and an opportunity of being heard in his defense. The
6 expenses which shall be incurred by any county, in investigat-
7 ing and prosecuting any charge of bribery or attempting to
8 bribe any person holding office under the laws of this State,
9 within such county, or of receiving bribes by any such person
10 in said county, shall be a charge against the State, and their
11 payment by the State shall be provided for by law.

Amendments.

AMENDMENTS.**ARTICLE XIV.**

1 Section 1. Any amendment or amendments to this Con-
2 stitution may be proposed in the Senate and Assembly; and if
3 the same shall be agreed to by a majority of the members
4 elected to each of the two houses, such proposed amendment
5 or amendments shall be entered on their journals, with the
6 yeas and nays taken thereon, and referred to the Legislature
7 to be chosen at the next general election of senators, and shall
8 be published for three months previous to the time of making
9 such choice; and if in the Legislature so next chosen, as afore-
10 said, such proposed amendment or amendments shall be
11 agreed to by a majority of all the members elected to each
12 house, then it shall be the duty of the Legislature to submit
13 such proposed amendment or amendments to the people for
14 approval in such manner and at such times as the Legislature
15 shall prescribe; and if the people shall approve and ratify such
16 amendment or amendments by a majority of the electors vot-
17 ing thereon, such amendment or amendments shall become a
18 part of the Constitution from and after the first day of January
19 next after such approval.

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ALABAMA.**1. XVII.**

The General Assembly may, whenever two-thirds of each house shall deem it necessary, propose amendments to this Constitution, which having been read on three several days, in each house, shall be duly published in such manner as the General Assembly may direct, at least three months before the next general election for representatives, for the consideration of the people; and it shall be the duty of the several returning officers at the next general election which shall be held for Representatives, to open a poll for the vote of the qualified electors on the proposed amendments, and to make a return of said vote to the Secretary of State; and if it shall thereupon appear that a majority of all the qualified electors of the State, who voted at said election, voted in favor of the proposed amendments, said amendments shall be valid, to all intents and purposes, as part of this Constitution, and the result of such election shall be made known by proclamation of the Governor.

ARKANSAS.**22. XIX.**

Either branch of the General Assembly at a regular session thereof may propose amendments to this Constitution, and, if the same be agreed to by a majority of all the members elected to each house, such proposed amendments shall be entered on the journals with the yeas and nays, and published in at least one newspaper in each county, where a newspaper is published, for six months immediately preceding the next general election for Senators and Representatives, at which

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time the same shall be submitted to the electors of the State for approval or rejection; and if a majority of the electors voting at such election adopt such amendments the same shall become a part of this Constitution; but no more than three amendments shall be proposed or submitted at the same time. They shall be so submitted as to enable the electors to vote on each amendment separately.

CALIFORNIA.**1. XVIII.**

Any amendment or amendments to this Constitution may be proposed in the Senate or Assembly, and if two-thirds of all the members elected to each of the two houses shall vote in favor thereof, such proposed amendment or amendments shall be entered in their journals, with the yeas and nays taken thereon; and it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people in such manner, and at such time, and after such publication as may be deemed expedient. Should more amendments than one be submitted at the same election, they shall be so prepared and distinguished, by numbers or otherwise, that each can be voted on separately. If the people shall approve and ratify such amendment or amendments, or any of them, by a majority of the qualified electors voting thereon, such amendment or amendments shall become a part of this Constitution.

COLORADO.**2. XIX.**

Any amendment or amendments to this Constitution may be proposed in either house of the General Assembly, and if the

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same shall be voted for by two-thirds of all the members elected to each house, such proposed amendments, together with the yeas and noes of each house thereon, shall be entered in full on their respective journals; and the Secretary of State shall cause the said amendment or amendments to be published in full in at least one newspaper in each county (if such there be) for three months previous to the next general election for members of the General Assembly; and at said election the said amendment or amendments shall be submitted to the qualified electors of the State for their approval or rejection, and such as are approved by a majority of those voting thereon, shall become part of this Constitution; but the General Assembly shall have no power to propose amendments to more than one article of this Constitution at the same session.

CONNECTICUT.

XI.

Whenever a majority of the House of Representatives shall deem it necessary to alter or amend this Constitution, they may propose such alteration and amendments; which proposed amendments shall be continued to the next General Assembly, and be published with the laws which may have been passed at the same session; and if two-thirds of each house, at the next session of said Assembly, shall approve the amendments proposed, by yeas and nays, said amendment shall, by the secretary, be transmitted to the town clerk in each town in the State, whose duty it shall be to present the same to the inhabitants thereof, for their consideration, at a town meeting, legally warned and held for that

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purpose; and if it shall appear, in a manner to be provided by law, that a majority of the electors present at such meetings shall have approved such amendments, the same shall be valid, to all intents and purposes, as a part of this Constitution.

DELAWARE.

IX.

The General Assembly, whenever two-thirds of each house shall deem it necessary, may, with the approbation of the Governor, propose amendments to this Constitution, and at least three and not more than six months before the next general election of Representatives, duly publish them in print for the consideration of the people; and if three-fourths of each branch of the Legislature shall, after such an election and before another, ratify the said amendments, they shall be valid to all intents and purposes as parts of this Constitution.

(No convention shall be called but by the authority of the people; and the mode of making their sense known shall be that at any general election held for Representatives in the General Assembly, and which shall have been prescribed by the General Assembly at its regular session next preceding the said election as the proper occasion for ascertaining such sense, the citizens of this State entitled to vote for Representatives at such election may vote by ballot for or against a convention as they shall severally choose to do, and in so voting the ballot shall be separate from those cast for any person voted for at such election and shall be kept distinct and apart from any other ballot so cast; and if at any such election

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the number of votes for a convention shall be equal to a majority of all the citizens in the State having right to vote for Representatives, ascertained by reference to the highest number of votes cast in the State at any one of the three general elections next preceding the day of voting for a convention, except when they may be less than the whole number of votes voted both for and against a convention, in which case the said majority shall be ascertained by reference to the number of votes given on the day of voting for or against a convention, the General Assembly shall, at its next session, call a convention, to consist of at least as many members as there are in both houses of the Legislature, to be chosen in the same manner, at the same places, and at the same time that Representatives are by the citizens entitled to vote for Representatives, on due notice given for one month, and to meet within three months after they shall be elected. The Legislature shall provide by law for receiving, tallying and counting said votes for and against a convention and for returning to the General Assembly at its next session the state of the said vote, and also for ascertaining and returning to the said General Assembly the number of ballots cast at said election on or by which Representatives were voted for so as to enable it to determine whether a majority of those who voted for Representatives voted for a convention; and shall also by law enact all provisions necessary for giving full effect to this article.)

FLORIDA.

1. XVII.

Either branch of the Legislature,

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at a regular session thereof, may propose amendments to this Constitution; and if the same be agreed to by three-fifths of all the members elected to each house, such proposed amendments shall be entered upon their respective journals with the yeas and nays, and published in one newspaper in each county where a newspaper is published, for three months immediately preceding the next general election of Representatives, at which election the same shall be submitted to the electors of the State, for approval or rejection. If a majority of the electors voting upon the amendments at such election shall adopt the amendments, the same shall become a part of the Constitution. The proposed amendments shall be so submitted as to enable the electors to vote on each amendment separately.

GEORGIA.

1. XIII.

Par. I. Any amendment, or amendments, to this Constitution may be proposed in the Senate or House of Representatives, and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment, or amendments, shall be entered on their journals, with the yeas and nays taken thereon. And the General Assembly shall cause such amendment, or amendments, to be published in one or more newspapers in each congressional district, for two months previous to the time of holding the next general election, and shall also provide for a submission of such proposed amendment, or amendments, to the people at said next general elec-

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tion, and if the people shall ratify such amendment, or amendments, by a majority of the electors qualified to vote for members of the General Assembly, voting thereon, such amendment or amendments, shall become a part of this Constitution. When more than one amendment is submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately.

IDAHO.

1. XX.

Any amendment or amendments to this Constitution may be proposed in either branch of the Legislature, and if the same shall be agreed to by two-thirds of all the members of each of the two houses, voting separately, such proposed amendment or amendments shall, with the yeas and nays thereon, be entered on their journals, and it shall be the duty of the Legislature to submit such amendment or amendments to the electors of the State at the next general election, and cause the same to be published without delay for at least six consecutive weeks, prior to said election, in not less than one newspaper of general circulation published in each county; and if a majority of the electors shall ratify the same, such amendment or amendments shall become a part of this Constitution.

2. XX.

If two or more amendments are proposed, they shall be submitted in such manner that the electors shall vote for or against each of them separately.

ILLINOIS.

2. XIV.

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may be proposed in either house of the General Assembly, and if the same shall be voted for by two-thirds of all the members elected to each of the two houses, such proposed amendments, together with the yeas and nays of each house thereon, shall be entered in full on their respective journals, and said amendments shall be submitted to the electors of this State for adoption or rejection, at the next election of members of the General Assembly, in such manner as may be prescribed by law. The proposed amendments shall be published in full at least three months preceding the election, and if a majority of the electors voting at said election shall vote for the proposed amendments, they shall become a part of this Constitution. But the General Assembly shall have no power to propose amendments to more than one article of this Constitution at the same session, nor to the same article oftener than once in four years.

INDIANA.

1. XVI.

Any amendment or amendments to this Constitution may be proposed in either branch of the General Assembly; and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall, with the yeas and nays thereon, be entered on their journals and referred to the General Assembly to be chosen at the next general election; and if in the General Assembly so next chosen, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty

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of the General Assembly to submit such amendment or amendments to the electors of the State, and if a majority of said electors shall ratify the same, such amendment or amendments shall become a part of this Constitution.

2. XVI.

If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately; and while such an amendment or amendments which shall have been agreed upon by one General Assembly shall be awaiting the action of the succeeding General Assembly, or of the electors, no additional amendment or amendments shall be proposed.

IOWA.

1. X.

Any amendment or amendments to this Constitution may be proposed in either house of the General Assembly; and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment shall be entered on their journals, with the yeas and nays taken thereon, and referred to the Legislature to be chosen at the next general election, and shall be published, as provided by law, for three months previous to the time of making such choice; and if, in the General Assembly so next chosen as aforesaid, such proposed amendment or amendments shall be agreed to, by a majority of all the members elected to each house, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the people in such manner, and at such time

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as the General Assembly shall provide; and if the people shall approve and ratify such amendment or amendments, by a majority of the electors qualified to vote for members of the General Assembly, voting thereon, such amendment or amendments shall become a part of the Constitution of this State.

2. X.

If two or more amendments shall be submitted at the same time they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately.

KANSAS.

1. XIV.

Propositions for the amendment of this Constitution may be made by either branch of the Legislature; and if two-thirds of all the members elected to each house shall concur therein, such proposed amendments, together with the yeas and nays, shall be entered on the journal; and the Secretary of State shall cause the same to be published in at least one newspaper in each county of the State where a newspaper is published, for three months preceding the next election for Representatives, at which time the same shall be submitted to the electors for their approval or rejection; and if a majority of the electors voting on said amendments, at said election, shall adopt the amendments, the same shall become a part of the Constitution. When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately; and not more than three propositions to amend shall be submitted at the same election.

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KENTUCKY.

256.

Amendments to this Constitution may be proposed in either house of the General Assembly at a regular session, and if such amendment or amendments shall be agreed to by three-fifths of all the members elected to each house, such proposed amendment or amendments, with the yeas and nays of the members of each house taken thereon, shall be entered in full in their respective journals. Then such proposed amendment or amendments shall be submitted to the voters of the State for their ratification or rejection at the next general election for members of the House of Representatives, the vote to be taken thereon in such manner as the General Assembly may provide, and to be certified by the officers of election to the Secretary of State in such manner as shall be provided by law, which vote shall be compared and certified by the same board authorized by law to compare the polls and give certificates of election to officers for the State at large. If it shall appear that a majority of the votes cast for and against an amendment at said election was for the amendment, then the same shall become a part of the Constitution of this Commonwealth, and shall be so proclaimed by the Governor, and published in such manner as the General Assembly may direct. Said amendments shall not be submitted at an election which occurs less than ninety days from the final passage of such proposed amendment or amendments. Not more than two amendments shall be voted upon at any one time. Nor shall the same amendment be again submitted within five

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years after submission. Said amendments shall be so submitted as to allow a separate vote on each, and no amendment shall relate to more than one subject. But no amendment shall be proposed by the first General Assembly which convenes after the adoption of this Constitution. The approval of the Governor shall not be necessary to any bill, order, resolution or vote of the General Assembly, proposing an amendment or amendments to this Constitution.

257.

Before an amendment shall be submitted to a vote, the Secretary of State shall cause such proposed amendment, and the time that the same is to be voted upon, to be published at least ninety days before the vote is to be taken thereon, in such manner as may be prescribed by law.

LOUISIANA.

Art. 256. Propositions for the amendment of this Constitution may be made by the General Assembly at any session thereof, and if two-thirds of all the members elected to each house shall concur therein, after such proposed amendments have been read in such respective houses on three separate days, such proposed amendment or amendments, together with the yeas and nays thereon, shall be entered on the journal, and the Secretary of State shall cause the same to be published in two newspapers published in the parish of Orleans and in one paper in each other parish of the State in which a newspaper is published, for three months preceding the next election for Representatives, at which time

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the said amendment or amendments shall be submitted to the electors for their approval or rejection; and if a majority voting on said amendment or amendments shall approve and ratify the same, then such amendment or amendments so approved and ratified shall become a part of the Constitution.

When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately. The result of said election shall be made known by the proclamation of the Governor.

MAINE.

2. X.

The Legislature, whenever two-thirds of both houses shall deem it necessary, may propose amendments to this Constitution; and when any amendments shall be so agreed upon, a resolution shall be passed and sent to the selectmen of the several towns, and the assessors of the several plantations, empowering and directing them to notify the inhabitants of their respective towns and plantations, in the manner prescribed by law, at their next annual meetings in the month of September, to give in their votes on the question, whether such amendment shall be made; and if it shall appear that a majority of the inhabitants voting on the question are in favor of such amendment, it shall become a part of this Constitution.

MARYLAND.

1. XIV.

The General Assembly may propose amendments to this Constitution: Provided, That each amendment shall be embraced in a separate bill, embodying the

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article or section as the same will stand when amended and passed by three-fifths of all the members elected to each of the two houses, by yeas and nays, to be entered on the journals with the proposed amendment. The bill or bills proposing amendment or amendments shall be published by order of the Governor in at least two newspapers in each county, where so many may be published, and where not more than one may be published, then in that newspaper, and in three newspapers published in the city of Baltimore, one of which shall be in the German language, once a week for at least three months preceding the next ensuing general election, at which the said proposed amendment, or amendments shall be submitted in a form to be prescribed by the General Assembly, to the qualified voters of the State for adoption or rejection. The votes cast for and against said proposed amendment or amendments, severally, shall be returned to the Governor, in the manner prescribed in other cases, and if it shall appear to the Governor that a majority of the votes cast at said election on amendment or amendments, severally, were cast in favor thereof, the Governor shall, by his proclamation, declare the said amendment or amendments, having received said majority of votes, to have been adopted by the people of Maryland as part of the Constitution thereof, and thenceforth said amendment or amendments shall be part of the said Constitution. When two or more amendments shall be submitted, in manner aforesaid, to the voters of this State at the

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same election, they shall be so submitted as that each amendment shall be voted on separately.

MASSACHUSETTS.

X. (In order the more effectually to adhere to the principles of the Constitution, and to correct those violations which by any means may be made therein, as well as to form such alterations as from experience shall be found necessary, the General Court, which shall be in the year of our Lord one thousand seven hundred and ninety-five, shall issue precepts to the selectmen of the several towns, and to the assessors of the unincorporated plantations, directing them to convene the qualified voters of their respective towns and plantations, for the purpose of collecting their sentiments on the necessity or expediency of revising the Constitution, in order to amendments. (For existing provision as to amendments, see amendments, Art. IX.)

And if it shall appear by the returns made, that two-thirds of the qualified voters throughout the State, who shall assemble and vote in consequence of the said precepts, are in favor of such revision or amendment, the General Court shall issue precepts, or direct them to be issued from the Secretary's office, to the several towns to elect delegates to meet in convention for the purpose aforesaid.

The said delegates to be chosen in the same manner and proportion as their representatives in the second branch of the Legislature are by this Constitution to be chosen.

Art. IX. If, at any time hereafter, any specific and particu-

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lar amendment or amendments to the Constitution be proposed in the General Court, and agreed to by a majority of the Senators and two-thirds of the members of the House of Representatives present and voting thereon, such proposed amendment or amendments shall be entered on the journals of the two houses, with the yeas and nays taken thereon, and referred to the General Court then next to be chosen, and shall be published; and if, in the General Court next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of the Senators and two-thirds of the members of the House of Representatives present and voting thereon, then it shall be the duty of the General Court to submit such proposed amendment or amendments to the people; and if they shall be approved and ratified by a majority of the qualified voters, voting thereon, at meetings legally warned and holden for that purpose, they shall become part of the Constitution of this Commonwealth.

MICHIGAN.

1. XX.

Any amendment or amendments to this Constitution may be proposed in the Senate or the House of Representatives. If the same shall be agreed to by two-thirds of the members elected to each house, such amendment or amendments shall be entered on the journal respectively, with the yeas and nays taken thereon; and the same shall be submitted to the electors at the next spring or autumn election thereafter, as the Legislature shall direct; and if a majority of electors qualified to vote for members of the

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Legislature, voting thereon, shall ratify and approve such amendment or amendments, the same shall become part of the Constitution.

MINNESOTA.**1. XIV.**

Whenever a majority of both houses of the Legislature shall deem it necessary to alter or amend this Constitution, they may propose such alterations or amendments; which proposed amendments shall be published with the laws which have been passed at the same session, and said amendments shall be submitted to the people for their approval or rejection; and if it shall appear, in a manner to be provided by law, that a majority of voters present and voting, shall have ratified such alterations and amendments, the same shall be valid to all intents and purposes, as a part of this Constitution. If two or more alterations or amendments shall be submitted at the same time, it shall be so regulated that the voters shall vote for or against each separately.

MISSISSIPPI.**273. XV.**

Whenever two-thirds of each house of the Legislature shall deem any change, alteration or amendment necessary to this Constitution, such proposed change, alteration or amendment shall be read and passed by a two-thirds vote of each house respectively, on each day, for three several days; public notice shall then be given by the Secretary of State, at least three months preceding an election, at which the qualified electors shall vote directly for or against such change, alteration or amendment; and if more than one amendment shall be submitted

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at one time, they shall be submitted in such manner and form that the people may vote for or against each amendment separately; and if it shall appear that a majority of the qualified electors voting shall have voted for the proposed change, alteration or amendment, then it shall be inserted by the next succeeding Legislature as a part of this Constitution, and not otherwise.

MISSOURI.**1. XV.**

This Constitution may be amended and revised only in pursuance of the provisions of this article.

2. XV.

The General Assembly may, at any time, propose such amendments to this Constitution as a majority of the members elected to each house shall deem expedient; and the vote thereon shall be taken by yeas and nays and entered in full on the journals. The proposed amendments shall be published with the laws of that session, and also shall be published weekly in some newspaper, if such there be, within each county in the State, for four consecutive weeks next preceding the general election then next ensuing. The proposed amendments shall be submitted to a vote of the people, each amendment separately, at the next general election thereafter, in such manner as the General Assembly may provide. If a majority of the qualified voters of the State, voting for and against any one of said amendments, shall vote for such amendment, the same shall be deemed and taken to have been ratified by the people, and shall be valid and binding, to all intents and purposes, as a part of this Constitution.

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MONTANA.**9. XIX.**

Amendments to this Constitution may be proposed in either house of the Legislative Assembly; and if the same shall be voted for by two-thirds of the members elected to each house, such proposed amendments, together with the ayes and nays of each house thereon, shall be entered in full on their respective journals; and the Secretary of State shall cause the said amendment or amendments to be published in full in at least one newspaper in each county (if such there be) for three months previous to the next general election for members to the Legislative Assembly; and at said election the said amendment or amendments shall be submitted to the qualified electors of the State for their approval or rejection, and such as approved by a majority of those voting thereon shall become part of the Constitution. Should more amendments than one be submitted at the same election, they shall be so prepared and distinguished by numbers or otherwise that each can be voted on separately: Provided, however, that not more than three amendments to this Constitution shall be submitted at the same election.

NEBRASKA.**1. XVII.**

Either branch of the Legislature may propose amendments to this Constitution, and if the same be agreed to by three-fifths of the members elected to each house, such proposed amendments shall be entered on the journals, with the yeas and nays, and published at least once each week in at least one newspaper in each county, where a newspaper is published, for three months immediately preceding the next

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election of Senators and Representatives, at which election the same shall be submitted to the electors for approval or rejection, and if a majority of the electors voting at such election adopt such amendments, the same shall become a part of this Constitution. When more than one amendment is submitted at the same election, they shall be so submitted as to enable the electors to vote on each amendment separately.

NEVADA.**1. XVI.**

Any amendment or amendments to this Constitution may be proposed in the Senate or Assembly, and if the same shall be agreed to by a majority of all the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their respective journals, with the yeas and nays taken thereon, and referred to the Legislature then next to be chosen, and shall be published for three months next preceding the time of making such choice. And if, in the Legislature next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people in such manner and at such time as the Legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments, by a majority of the electors qualified to vote for members of the Legislature voting thereon, such amendment or amendments shall become a part of the Constitution.

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NEW HAMPSHIRE.

98.

To the end that there may be no failure of justice or danger to the State by the alterations and amendments made in this Constitution, the General Court is hereby fully authorized and directed to fix the time when the alterations and amendments shall take effect, and make the necessary arrangements accordingly.

NEW JERSEY.**IX.**

Any specific amendment or amendments to this Constitution may be proposed in the Senate or General Assembly, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and nays taken thereon, and referred to the Legislature then next to be chosen, and shall be published for three months previous to making such choice, in at least one newspaper of each county, if any be published therein; and if in the Legislature next chosen as aforesaid, such proposed amendment or amendments, or any of them, shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the Legislature to submit such proposed amendment or amendments, or such of them as may have been agreed to as aforesaid by the two Legislatures, to the people, in such manner and at such time, at least four months after the adjournment of the Legislature, as the Legislature shall prescribe; and if the people at a special election to be held for that purpose only, shall approve

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and ratify such amendment or amendments, or any of them, by a majority of the electors qualified to vote for members of the Legislature voting thereon, such amendment or amendments so approved and ratified shall become part of the Constitution; Provided, That if more than one amendment be submitted, they shall be submitted in such manner and form that the people may vote for or against each amendment separately and distinctly; but no amendment or amendments shall be submitted to the people by the Legislature oftener than once in five years.

NORTH CAROLINA.2. **XIII.**

No part of the Constitution of this State shall be altered unless a bill to alter the same shall have been agreed to by three-fifths of each house of the General Assembly. And the amendment or amendments so agreed to shall be submitted at the next general election to the qualified voters of the whole State, in such a manner as may be prescribed by law. And in the event of their adoption by a majority of the votes cast, such amendment or amendments shall become a part of the Constitution of this State.

NORTH DAKOTA.202. **XV.**

Any amendment or amendments to this Constitution may be proposed in either house of the Legislative Assembly, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment shall be entered on the journal of the house with the yeas and nays taken thereon, and referred to the Legislative Assembly to be

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chosen at the next general election, and shall be published, as provided by law, for three months previous to the time of making such choice; and if in the Legislative Assembly so next chosen as aforesaid such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the Legislative Assembly to submit such proposed amendment or amendments to the people in such manner and at such time as the Legislative Assembly shall provide; and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the Legislative Assembly voting thereon, such amendment or amendments shall become a part of the Constitution of this State. If two or more amendments shall be submitted at the same time they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately.

OHIO.

1. XVII.

Either branch of the General Assembly may propose amendments to this Constitution; and, if the same shall be agreed to by three-fifths of the members elected to each house, such proposed amendments shall be entered on the journals, with the yeas and nays, and shall be published in at least one newspaper in each county of the State, where a newspaper is published, for six months preceding the next election for Senators and Representatives, at which time the same shall be submitted to the electors for their approval

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or rejection; and if a majority of the electors voting at such election shall adopt such amendments, the same shall become a part of the Constitution. When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately.

OREGON.

2. XVII.

If two or more amendments shall be submitted in such manner, that the electors shall vote for or against each of such amendments separately; and while an amendment or amendments shall have been agreed upon by one Legislative Assembly, shall be awaiting the action of a Legislative Assembly, or of the electors, no additional amendment or amendments shall be proposed.

PENNSYLVANIA.

1. XVIII.

Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives; and, if the same shall be agreed to by a majority of the members elected to each house, such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon, and the Secretary of the Commonwealth shall cause the same to be published three months before the next general election, in at least two newspapers in every county in which such newspapers shall be published; and, if in the General Assembly next afterwards chosen, such proposed amendment or amendments shall be agreed to by a majority of the members elected to each house, the Secretary of the Common-

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wealth shall cause the same again to be published in the manner aforesaid; and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner, and at such time at least three months after being so agreed to by the two houses, as the General Assembly shall prescribe; and, if such amendment or amendments shall be approved by a majority of those voting thereon, such amendment or amendments shall become a part of the Constitution; but no amendment or amendments shall be submitted oftener than once in five years. When two or more amendments shall be submitted they shall be voted upon separately.

RHODE ISLAND.

1. XIII.

The General Assembly may propose amendments to this Constitution by the votes of a majority of all the members elected to each house. Such propositions for amendments shall be published in the newspapers, and printed copies of them shall be sent by the Secretary of State, with the names of all the members who shall have voted thereon, with the yeas and nays, to all the town and city clerks in the State. The said propositions shall be, by said clerks, inserted in the warrants or notices by them issued, for warning the next annual town and ward meetings in April; and the clerks shall read said propositions to the electors when thus assembled, with the names of all the Representatives and Senators who shall have voted thereon, with the yeas and nays, before the election of Senators and Representatives shall be

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had. If a majority of all the members elected to each house, at said annual meeting, shall approve any proposition thus made, the same shall be published and submitted to the electors in the mode provided in the act of approval; and if then approved by three-fifths of the electors of the State present and voting thereon in town and ward meetings, it shall become a part of the Constitution of the State.

SOUTH CAROLINA.

1. XV.

Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives. If the same be agreed to by two-thirds of the members elected to each house, such amendment or amendments shall be entered on the journals respectively, with the yeas and nays taken thereon; and the same shall be submitted to the qualified electors of the State, at the next general election thereafter for Representatives; and if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment or amendments, and two-thirds of each branch of the next General Assembly shall, after such an election, and before another, ratify the same amendment or amendments, by yeas and nays, the same shall become part of the Constitution: Provided, That such amendment or amendments shall have been read three times on three several days in each house.

2. XV.

If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall

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vote for or against each of such amendments separately.

SOUTH DAKOTA.**1. XXIII.**

Any amendment or amendments to this Constitution may be proposed in either house of the Legislature, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and it shall be the duty of the Legislature to submit such proposed amendment or amendments to the vote of the people at the next general election. And if the people shall approve and ratify such amendment or amendments by a majority of the electors voting thereon, such amendment or amendments shall become a part of this Constitution; provided, that the amendment or amendments so proposed shall be published for a period of twelve weeks previous to the date of said election, in such manner as the Legislature may provide; and provided further, that if more than one amendment be submitted, they shall be submitted in such manner that the people may vote for or against such amendment separately.

TENNESSEE.**3. X.**

Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives, and, if the same shall be agreed to by a majority of all the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays thereon, and

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referred to the General Assembly then next to be chosen; and shall be published six months previous to the time of making such choice; and if, in the General Assembly then next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by two-thirds of all the members elected to each house, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the people, in such manner and at such times as the General Assembly shall prescribe. And if the people shall approve and ratify such amendment or amendments by a majority of all the citizens of the State voting for Representatives, voting in their favor, such amendment or amendments shall become a part of this Constitution. When any amendment or amendments to the Constitution shall be proposed in pursuance of the foregoing provisions, the same shall, at each of said sessions, be read three times, on three several days, in each house. The Legislature shall not propose amendments to the Constitution oftener than once in six years. The Legislature shall have the right, at any time, by law, to submit to the people the question of calling a Convention to alter, reform or abolish this Constitution, and when, upon such submission, a majority of all the votes cast shall be in favor of said proposition, then delegates shall be chosen, and the Convention shall assemble in such mode and manner as shall be prescribed.

TEXAS.**1. XVII.**

The Legislature, at any biennial session, by a vote of two-thirds

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of all the members elected to each house, to be entered by yeas and nays on the journals, may propose amendments to the Constitution, to be voted upon by the qualified electors for members of the Legislature, which proposed amendments shall be duly published once a week for four weeks, commencing at least three months before an election, the time of which shall be specified by the Legislature, in one weekly newspaper of each county in which such a newspaper may be published; and it shall be the duty of the several returning officers of said election to open a poll for, and make returns to the Secretary of State of the number of legal votes cast at said election for and against said amendments; and if more than one be proposed, then the number of votes cast for and against each of them; and if it shall appear from said return that a majority of the votes cast have been cast in favor of any amendment the said amendment so receiving a majority of the votes cast shall become a part of this Constitution, and proclamation shall be made by the Governor thereof.

VERMONT.

1. XXV.

At the session of the General Assembly of this State, A. D. 1880, and at the session thereof every tenth year thereafter, the Senate may, by a vote of two-thirds of its members, make proposals of amendment to the Constitution of the State, which proposals of amendment, if concurred in by a majority of the members of the House of Representatives, shall be entered on the journals of the two houses, and referred to the General Assembly then next to be chosen,

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and be published in the principal newspapers of the State; and if a majority of the members of the Senate and of the House of Representatives of the next following General Assembly shall respectively concur in the same proposals of amendment, or any of them, it shall be the duty of the General Assembly to submit the proposals of amendment so concurred in to a direct vote of the freemen of the State; and such of said proposals of amendment as shall receive a majority of the votes of the freemen voting thereon shall become a part of the Constitution of this State.

2. XXV.

The General Assembly shall direct the manner of voting by the people upon the proposed amendments, and enact all such laws as shall be necessary to procure a free and fair vote upon each amendment proposed, and to carry into effect all the provisions of the preceding section.

VIRGINIA.

1. XII.

Any amendment or amendments to the Constitution may be proposed in the Senate and House of Delegates, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon, and referred to the General Assembly to be chosen at the next general election of Senators and members of the House of Delegates; and shall be published for three months previous to the time of making such choice. And if in the next General Assembly so

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next chosen as aforesaid such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the people, in such manner and at such times as the General Assembly shall prescribe; and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the General Assembly voting thereon, such amendment or amendments shall become part of the Constitution.

WASHINGTON.1. **XXIII.**

Any amendment or amendments to this Constitution may be proposed in either branch of the Legislature; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes thereon, and be submitted to the qualified electors of the State for their approval, at the next general election; and if the people approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this Constitution, and proclamation thereof shall be made by the Governor: Provided, That if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such amendments separately. The Legislature shall also cause the amendments that are to be submitted to the people

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to be published for at least three months next preceding the election, in some weekly newspaper, in every county where a newspaper is published throughout the State.

WEST VIRGINIA.2. **XIV.**

Any amendment to the Constitution of the State may be proposed in either house of the Legislature; and if the same, being read on three several days in each house, be agreed to on its third reading, by two-thirds of the members elected thereto, the proposed amendment, with the yeas and nays thereon, shall be entered on the journals, and it shall be the duty of the Legislature to provide by law, for submitting the same to the voters of the State for ratification or rejection at the next general election thereafter, and cause the same to be published, at least three months before such election in some newspaper in every county in which a newspaper is printed. And if a majority of the qualified voters, voting on the question at the polls held pursuant to such law, ratify the proposed amendment, it shall be in force from the time of such ratification, as part of the Constitution of the State. If two or more amendments be submitted at the same time, the vote on the ratification or rejection shall be taken on each separately.

WISCONSIN.1. **XII.**

Any amendment or amendments to this Constitution may be proposed in either house of the Legislature, and, if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed

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amendment or amendments shall be entered on their journals with the yeas and nays taken thereon, and referred to the Legislature to be chosen at the next general election, and shall be published for three months previous to the time of holding such election. And if in the Legislature so next chosen, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people, in such manner and at such time as the Legislature shall prescribe, and if the people shall approve and ratify such amendment or amendments by a majority of the electors voting thereon, such amendment or amendments shall become part of the Constitution: Provided, That if more than one amendment be submitted, they shall be submitted in such manner that the people may vote for or against such amendments separately.

WYOMING.**1. XX.**

Any amendment or amendments

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to this Constitution may be proposed in either branch of the Legislature, and, if the same shall be agreed to by two-thirds of all the members of each of the two houses, voting separately, such proposed amendment or amendments shall, with the yeas and nays thereon, be entered on their journals, and it shall be the duty of the Legislature to submit such amendment or amendments to the electors of the State at the next general election, and cause the same to be published without delay for at least twelve (12) consecutive weeks, prior to said election, in at least one newspaper of general circulation, published in each county, and if a majority of the electors shall ratify the same, such amendment or amendments shall become a part of this Constitution.

2. XX.

If two or more amendments are proposed, they shall be submitted in such manner that the electors shall vote for or against each of them separately.

CONSTITUTIONAL CONVENTION.

1 Sec. 2. At the general election to be held in the year
2 one thousand nine hundred and sixteen, and every twentieth
3 year thereafter, and also at such times as the Legislature may
4 by law provide, the question, "Shall there be a convention to
5 revise the Constitution and amend the same?" shall be decided
6 by the electors of the State; and in case a majority of the
7 electors voting thereon shall decide in favor of a convention
8 for such purpose, the electors of every senate district of the
9 State, as then organized, shall elect three delegates at the
10 next ensuing general election at which members of the Assem-
11 bly shall be chosen, and the electors of the State voting at the
12 same election shall elect fifteen delegates-at-large. The dele-
13 gates so elected shall convene at the capitol on the first
14 Tuesday of April next ensuing after their election, and shall
15 continue their session until the business of such convention
16 shall have been completed. Every delegate shall receive for
17 his services the same compensation and the same mileage
18 as shall then be annually payable to the members of the
19 Assembly. A majority of the convention shall constitute a
20 quorum for the transaction of business, and no amendment
21 to the Constitution shall be submitted for approval to the
22 electors as hereinafter provided, unless by the assent of a
23 majority of all the delegates elected to the convention, the yeas

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24 and nays being entered on the journal to be kept. The con-
25 vention shall have the power to appoint such officers, employes
26 and assistants as it may deem necessary, and fix their com-
27 pensation and to provide for the printing of its documents,
28 journal and proceedings. The convention shall determine the
29 rules of its own proceedings, choose its own officers, and be
30 the judge of the election, returns and qualifications of its mem-
31 bers. In case of a vacancy, by death, resignation or other
32 cause, of any district delegate elected to the convention, such
33 vacancy shall be filled by a vote of the remaining delegates
34 representing the district in which such vacancy occurs. If
35 such vacancy occurs in the office of a delegate-at-large, such
36 vacancy shall be filled by a vote of the remaining delegates-
37 at-large. Any proposed constitution or constitutional amend-
38 ment which shall have been adopted by such convention, shall
39 be submitted to a vote of the electors of the State at the time
40 and in the manner provided by such convention, at an election
41 which shall be held not less than six weeks after the adjourn-
42 ment of such convention. Upon the approval of such con-
43 stitution or constitutional amendments, in the manner pro-
44 vided in the last preceding section, such constitution or constitu-
45 tional amendment, shall go into effect on the first day of Jan-
46 uary next after such approval.

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ALABAMA.**2. XVII.**

No Convention shall hereafter be held for the purpose of altering or amending the Constitution of this State, unless the question of Convention or no Convention, shall first be submitted to a vote of all the electors of the State, and approved by a majority of those voting at said election.

CALIFORNIA.**2. XVIII.**

Whenever two-thirds of the members elected to each branch of the Legislature shall deem it necessary to revise this Constitution, they shall recommend to the electors to vote, at the next general election, for or against a convention for that purpose, and if a majority of the electors voting at such election on the proposition for a convention shall vote in favor thereof, the Legislature shall, at its next session, provide by law for calling the same. The convention shall consist of a number of delegates not to exceed that of both branches of the Legislature, who shall be chosen in the same manner, and have the same qualifications, as members of the Legislature. The delegates so elected shall meet within three months after their election, at such place as the Legislature may direct. At a special election, to be provided for by law, the Constitution that may be agreed upon by such convention shall be submitted to the people for their ratification or rejection, in such manner as the convention may determine. The returns of such election shall, in such manner as the convention may direct, be certified to the Executive of the

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State, who shall call to his assistance the Controller, Treasurer and Secretary of State, and compare the returns so certified to him; and it shall be the duty of the Executive to declare, by his proclamation, such Constitution as may have been ratified by a majority of all the votes cast at such special election to be the Constitution of the State of California.

COLORADO.**1. XIX.**

The General Assembly may, at any time, by a vote of two-thirds of the members elected to each house, recommend to the electors of the State, to vote at the next general election, for or against a Convention to revise, alter and amend this Constitution; and if a majority of those voting on the question shall declare in favor of such Convention, the General Assembly shall, at its next session, provide for the calling thereof. The number of members of the Convention shall be twice that of the Senate, and they shall be elected in the same manner, at the same places, and in the same districts. The General Assembly shall, in the act calling the Convention, designate the day, hour and place of its meeting; fix the pay of its members and officers, and provide for the payment of the same, together with the necessary expense of the Convention. Before proceeding the members shall take an oath to support the Constitution of the United States and of the State of Colorado, and to faithfully discharge their duties as members of the Convention. The qualifications of members shall be the same as of members of the Senate, and vacancies occurring shall be filled

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in the manner provided for filling vacancies in the General Assembly. Said Convention shall meet within three months after such election, and prepare such revisions, alterations or amendments to the Constitution as may be deemed necessary, which shall be submitted to the electors for their ratification or rejection at an election appointed by the Convention for that purpose, not less than two nor more than six months after the adjournment thereof; and unless so submitted and approved by a majority of the electors voting at the election, no such revision, alteration or amendment shall take effect.

FLORIDA.**2. XVII.**

If at any time the Legislature, by a vote of two-thirds of all the members of both houses, shall determine that a revision of this Constitution is necessary, such determination shall be entered upon their respective journals, with the yeas and nays thereon. Notice of said action shall be published weekly in one newspaper in every county in which a newspaper is published, for three months preceding the next general election of Representatives, and in those counties where no newspaper is published, notice shall be given by posting at the several polling precincts in such counties for six weeks next preceding said election. The electors at said election may vote for or against the revision in question. If a majority of the electors so voting be in favor of revision, the Legislature chosen at such election shall provide by law for a convention to revise the Constitution, said convention to be

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held within six months after the passage of such law. The convention shall consist of a number equal to the membership of the House of Representatives, and shall be apportioned among the several counties in the same manner as members of said house.

GEORGIA.**1. XIII.**

Par. II. No Convention of the people shall be called by the General Assembly to revise, amend or change this Constitution, unless by the concurrence of two-thirds of all the members of each house of the General Assembly. The representation in said Convention shall be based on population as near as practicable.

IDAHO.**3. XX.**

Whenever two-thirds of the members elected to each branch of the Legislature shall deem it necessary to call a convention to revise or amend this Constitution, they shall recommend to the electors to vote at the next general election for or against a convention, and if a majority of all the electors voting at said election shall have voted for a convention, the Legislature shall, at the next session, provide by law for calling the same; and such convention shall consist of a number of members not less than double the number of the most numerous branch of the Legislature.

4. XX.

Any Constitution adopted by such convention shall have no validity until it has been submitted to, and adopted by, the people.

ILLINOIS.**1. XIV.**

Whenever two-thirds of the mem-

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bers of each house of the General Assembly shall, by a vote entered upon the journals thereof, concur that a convention is necessary to revise, after or amend the Constitution, the question shall be submitted to the electors at the next general election. If a majority voting at the election vote for a convention, the General Assembly shall, at the next session, provide for a convention, to consist of double the number of members of the Senate, to be elected in the same manner, at the same places, and in the same districts. The General Assembly shall, in the act calling the convention, designate the day, hour and place of its meeting, fix the pay of its members and officers, and provide for the payment of the same, together with the expenses necessarily incurred by the convention in the performance of its duties. Before proceeding, the members shall take an oath to support the Constitution of the United States, and of the State of Illinois, and to faithfully discharge their duties as members of the convention. The qualification of members shall be the same as that of members of the Senate, and vacancies occurring shall be filled in the manner provided for filling vacancies in the General Assembly. Said convention shall meet within three months after such election, and prepare such revision, alteration or amendments of the Constitution as shall be deemed necessary, which shall be submitted to the electors for their ratification or rejection at an election appointed by the convention for that purpose, not less than two nor more than six months after the adjournment

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thereof; and unless so submitted and approved by a majority of the electors voting at the election, no such revision, alteration or amendments shall take effect.

IOWA.

2. X.

At the general election to be held in the year one thousand eight hundred and seventy, and in each tenth year thereafter, and also at such times as the General Assembly may, by law, provide, the question, "Shall there be a convention to revise the Constitution, and amend the same?" shall be decided by the electors qualified to vote for members of the General Assembly; and in case a majority of the electors so qualified, voting at such election for and against such proposition, shall decide in favor of a convention for such purpose, the General Assembly, at its next session, shall provide by law for the election of delegates to such convention.

KANSAS.

2. XIV.

Whenever two-thirds of the members elected to each branch of the Legislature shall think it necessary to call a Convention to revise, amend or change this Constitution, they shall recommend to the electors to vote at the next election of members to the Legislature, for or against a Convention; and if a majority of all the electors voting at such election shall have voted for a Convention, the Legislature shall, at the next session, provide for calling for the same.

KENTUCKY.

258.

When a majority of all the members elected to each house of the General Assembly shall concur,

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by a yea and nay vote, to be entered upon their respective journals, in enacting a law to take the sense of the people of the State as to the necessity and expediency of calling a Convention for the purpose of revising or amending this Constitution, and such amendments as may have been made to the same, such law shall be spread upon their respective journals. If the next General Assembly shall, in like manner, concur in such law, it shall provide for having a poll opened in each voting precinct in this State by the officers provided by law for holding general elections at the next ensuing regular election to be held for State officers or members of the House of Representatives, which does not occur within ninety days from the final passage of such law, at which time and places the votes of the qualified voters shall be taken for and against calling the Convention, in the same manner provided by law for taking votes in other State elections. The vote for and against said proposition shall be certified to the Secretary of State by the same officers and in the same manner as in State elections. If it shall appear that a majority voting on the proposition was for calling a Convention, and if the total number of votes cast for the calling of the Convention is equal to one-fourth of the number of qualified voters who voted at the last preceding general election in this State, the Secretary of State shall certify the same to the General Assembly at its next regular session, at which session a law shall be enacted calling a Convention to readopt, revise or amend this Constitution, and such amend-

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ments as may have been made thereto.

259.

The Convention shall consist of as many delegates as there are members of the House of Representatives; and the delegates shall have the same qualifications and be elected from the same districts as said Representatives.

260.

Delegates to such Convention shall be elected at the next general State election after the passage of the act calling the Convention, which does not occur within less than ninety days; and they shall meet within ninety days after their election at the capitol of the State, and continue in session until their work is completed.

261.

The General Assembly, in the act calling the Convention, shall provide for comparing the polls and giving certificates of election to the delegates elected, and provide for their compensation.

263.

Before a vote is taken upon the question of calling a Convention, the Secretary of State shall cause notice of the election to be published in such manner as may be provided by the act directing said vote to be taken.

MAINE.

15. IV.

The Legislature shall, by a two-thirds concurrent vote of both branches, have the power to call Constitutional Conventions for the purpose of amending this Constitution.

MARYLAND.

2. XIV.

It shall be the duty of the General Assembly to provide by law for taking, at the general elec-

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tion to be held in the year eighteen hundred and eighty-seven, and every twenty years thereafter the sense of the people in regard to calling a convention for altering this Constitution; and if a majority of voters at such election or elections shall vote for a convention, the General Assembly, at its next session, shall provide by law for the assembling of such convention, and for the election of delegates thereto. Each county and legislative district in the city of Baltimore shall have in such convention a number of delegates equal to its representation in both houses at the time at which the convention is called. But any Constitution, or change or amendment of the existing Constitution, which may be adopted by such convention shall be submitted to the voters of this State, and shall have no effect unless the same shall have been adopted by a majority of the voters voting thereon.

MICHIGAN.

2. XX.

At the general election to be held in the year one thousand eight hundred and sixty-six, and in each sixteenth year thereafter, and also at such other times as the Legislature may by law provide, the question of the general revision of the Constitution shall be submitted to the electors qualified to vote for members of the Legislature; and in case a majority of the electors so qualified, voting at such election, shall decide in favor of a Convention for such purpose, the Legislature, at the next session, shall provide by law for the election of such delegates to such Convention. All the amendments shall take effect at the commencement of the year after their adoption.

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MINNESOTA.

2. XIV.

Whenever two-thirds of the members elected to each branch of the Legislature shall think it necessary to call a Convention to revise this Constitution, they shall recommend to the electors to vote at the next general election for members of the Legislature, for or against a Convention; and if a majority of all the electors voting at said election shall have voted for a Convention, the Legislature shall, at their next session, provide by law for calling the same. The Convention shall consist of as many members as the House of Representatives, who shall be chosen in the same manner, and shall meet within three months after their election for the purpose aforesaid.

MISSOURI.

3. XV.

The General Assembly may at any time authorize, by law, a vote of the people to be taken upon the question whether a convention shall be held for the purpose of revising and amending the Constitution of this State; and if at such election a majority of the votes on the question be in favor of a convention, the Governor shall issue writs to the sheriffs of the different counties, ordering the election of delegates to such a convention, on a day not less than three and within six months after that on which said question shall have been voted on. At such election each Senatorial district shall elect two delegates for each Senator to which it may then be entitled in the General Assembly, and every such delegate shall have the qualifications of a State Senator. The election shall be conducted in conformity with the laws

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regulating the election of Senators. The delegates so elected shall meet at such time and place as may be provided by law, and organize themselves into a convention, and proceed to revise and amend the Constitution; and the Constitution, when so revised and amended, shall, on a day to be fixed therein, not less than sixty days nor more than six months after that on which it shall have been adopted by the convention, be submitted to a vote of the people for and against it, at an election to be held for that purpose; and if a majority of all the votes given be in favor of such Constitution, it shall, at the end of thirty days after such election, become the Constitution of this State. The result of such election shall be made known by proclamation by the Governor. The General Assembly shall have no power, otherwise than in this section specified, to authorize a convention for revising and amending the Constitution.

MONTANA.**8. XIX.**

The Legislative Assembly may at any time, by a vote of two-thirds of the members elected to each house, submit to the electors of the State the question whether there shall be a convention to revise, alter or amend this Constitution; and if a majority of those voting on the question shall declare in favor of such convention, the Legislative Assembly shall at its next session provide for the calling thereof. The number of members of the convention shall be the same as that of the House of Representatives, and they shall be elected in the same manner, at the same

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places, and in the same districts. The Legislative Assembly shall, in the act calling the convention, designate the day, hour and place of its meeting, fix the pay of its members and officers, and provide for the payment of the same, together with the necessary expenses of the convention. Before proceeding, the members shall take an oath to support the Constitution of the United States, and of the State of Montana, and to faithfully discharge their duties as members of the convention. The qualifications of members shall be the same as of members of the Senate, and vacancies occurring shall be filled in the manner provided for filling vacancies in the Legislative Assembly. Said convention shall meet within three months after such election and prepare such revisions, alterations or amendments to the Constitution as may be deemed necessary, which shall be submitted to the electors for their ratification or rejection at an election appointed by the convention for that purpose, not less than two or more than six months after the adjournment thereof; and unless so submitted and approved by a majority of the electors voting at the election, no such revision, alteration or amendment shall take effect.

NEBRASKA.**2. XVII.**

When three-fifths of the members elected to each branch of the Legislature deem it necessary to call a convention to revise, amend, or change this Constitution, they shall recommend to the electors to vote at the next election of members of the Legislature for or against a convention; and if a majority voting at

Constitutional Convention.

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said election vote for a convention, the Legislature shall, at its next session, provide by law for calling the same. The convention shall consist of as many members as the House of Representatives, who shall be chosen in the same manner, and shall meet within three months after their election, for the purpose aforesaid. No amendment or change of this Constitution, agreed upon by such convention, shall take effect until the same has been submitted to the electors of the State, and adopted by a majority of those voting for or against the same.

NEVADA.

2. XVI.

If at any time the Legislature, by a vote of two-thirds of the members elected to each house, shall determine that it is necessary to cause a revision of this entire Constitution, they shall recommend to the electors, at the next election for the members of the Legislature, to vote for or against a convention; and if it shall appear that a majority of the electors voting at such election shall have voted in favor of calling a convention, the Legislature shall, at its next session, provide by law for calling a convention, to be holden within six months after the passage of such law; and such convention shall consist of a number of members not less than that of both branches of the Legislature. In determining what is a majority of the electors voting at such election, reference shall be had to the highest number of votes cast at such election for the candidates for any office or on any question.

NEW HAMPSHIRE.

Art. 100. And the same method

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of taking the sense of the people as to a revision of the Constitution and calling a convention for that purpose shall be observed afterward, at the expiration of every seven years.

NORTH CAROLINA.

1. XIII.

No convention of the people of this State shall ever be called by the General Assembly, unless by the concurrence of two-thirds of all the members of each house of the General Assembly, and except the proposition, Convention or No Convention, be first submitted to the qualified voters of the whole State, at the next general election in a manner to be prescribed by law. And should a majority of the votes cast be in favor of said convention, it shall assemble on such day as may be prescribed by the General Assembly.

OHIO.

2. XVI.

Whenever two-thirds of the members elected to each branch of the General Assembly shall think it necessary to call a convention to revise, amend or change this Constitution, they shall recommend to the electors to vote, at the next election for members to the General Assembly, for or against a convention; and if a majority of all the electors voting at said election shall have voted for a convention, the General Assembly shall, at their next session, provide, by law, for calling the same. The convention shall consist of as many members as the House of Representatives, who shall be chosen in the same manner, and shall meet within three months after their election, for the purpose aforesaid.

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3. VI.

At the general election to be held in the year one thousand eight hundred and seventy-one, and each twentieth year thereafter, the question, "Shall there be a convention to revise, alter or amend the Constitution?" shall be submitted to the electors of the State; and in case a majority of all the electors voting at such election shall decide in favor of a convention, the General Assembly at its next session shall provide, by law, for the election of delegates and the assembling of such convention, as is provided in the preceding section; but no amendment of this Constitution, agreed upon by any convention assembled in pursuance of this article, shall take effect until the same shall have been submitted to the electors of the State, and adopted by a majority of those voting thereon.

SOUTH CAROLINA.

3. XV.

Whenever two-thirds of the members elected to each branch of the General Assembly shall think it necessary to call a convention to revise, amend or change this Constitution, they shall recommend to the electors to vote at the next election for Representatives for or against a convention; and if a majority of all the electors voting at said election shall have voted for a convention, the General Assembly shall, at their next session, provide by law for calling the same; and such convention shall consist of a number of members not less than that of the most numerous branch of the General Assembly.

SOUTH DAKOTA.

2. XXIII.

Whenever two-thirds of the mem-

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bers elected to each branch of the Legislature shall think it necessary to call a convention to revise this Constitution, they shall recommend to the electors to vote at the next election for members of the Legislature for or against a convention; and if a majority of all the electors voting at said election shall have voted for a convention, the Legislature shall, at their next session, provide by law for calling the same. The convention shall consist of as many members as the House of Representatives of the Legislature, and shall be chosen in the same manner, and shall meet within three months after their election for the purpose aforesaid.

VIRGINIA.

2. XII.

At the general election to be held in the year 1833, and in each twentieth year thereafter, and also at such time as the General Assembly may by law provide, the question, "Shall there be a convention to revise the Constitution and amend the same?" shall be decided by the electors qualified to vote for members of the General Assembly; and in case a majority of the electors so qualified voting at such election shall decide in favor of a convention for such purpose, the General Assembly, at its next session, shall provide by law for the election of delegates to such convention: Provided, That no amendment or revision shall be made which shall deny or in any way impair the right of suffrage or any civil or political right as conferred by this Constitution, except for causes which apply to all persons and classes without distinction.

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WASHINGTON.**2. XXIII.**

Whenever two-thirds of the members elected to each branch of the Legislature shall deem it necessary to call a convention to revise or amend this Constitution, they shall recommend to the electors to vote at the next general election for or against a convention, and if a majority of all the electors voting at said election shall have voted for a convention, the Legislature shall at the next session provide by law for calling the same; and such convention shall consist of a number of members not less than that of the most numerous branch of the Legislature.

3. XXIII.

Any Constitution adopted by such convention shall have no validity until it has been submitted to and adopted by the people.

WEST VIRGINIA.**1. XIV.**

No convention shall be called having the authority to alter the Constitution of the State, unless it be in pursuance of a law, passed by the affirmative vote of a majority of the members elected to each house of the Legislature, and providing that polls shall be opened throughout the State, on the same day therein specified, which shall not be less than three months after the passage of such law, for the purpose of taking the sense of the voters on the question of calling a convention. And such convention shall not be held unless a majority of the votes cast at such polls be in favor of calling the same; nor shall the members be elected to such convention until at least one month after the result of the vote shall be

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duly ascertained, declared and published. And all acts and ordinances of the said convention shall be submitted to the voters of the State for ratification or rejection, and shall have no validity whatever until they are ratified.

WISCONSIN.**2. XII.**

If at any time a majority of the Senate and Assembly shall deem it necessary to call a convention to revise or change this Constitution, they shall recommend to the electors to vote for or against a convention at the next election for members of the Legislature; and if it shall appear that a majority of the electors voting thereon have voted for a convention, the Legislature shall at its next session provide for calling such convention.

WYOMING.**3. XX.**

Whenever two-thirds of the members elected to each branch of the Legislature shall deem it necessary to call a convention to revise or amend this Constitution, they shall recommend to the electors to vote at the next general election for or against a convention, and if a majority of all the electors voting at such election shall have voted for a convention, the Legislature shall, at the next session, provide by law for calling the same; and such convention shall consist of a number of members not less than double that of the most numerous branch of the Legislature.

4. XX.

Any Constitution adopted by such convention shall have no validity until it has been submitted to and adopted by the people.

Constitutional Amendments to Supersede Amendments by Legislature.

CONSTITUTIONAL AMENDMENTS TO SUPERSEDE AMENDMENTS BY LEGISLATURE.

1 Sec. 3. Any amendment proposed by a constitutional
2 convention relating to the same subject as an amendment pro-
3 posed by the Legislature, coincidently submitted to the people
4 for approval at the general election held in the year one thou-
5 sand eight hundred and ninety-four, or at any subsequent
6 election, shall, if approved, be deemed to supersede the amend-
7 ment so proposed by the Legislature.

CONSTITUTION, WHEN IN FORCE.**ARTICLE XV.**

- 1 Section 1. This Constitution shall be in force from and
 2 including the first day of January, one thousand eight hundred
 3 and ninety-five, except as herein otherwise provided.

Done in Convention at the Capitol in the city of
 Albany, the twenty-ninth day of September,
 in the year one thousand eight hundred and
 ninety-four, and of the Independence of the
 United States of America the one hundred and
 nineteenth.

In witness whereof, we have hereunto sub-
 scribed our names.

JOSEPH HODGES CHOATE,

President.

CHARLES ELLIOTT FITCH,

Secretary.

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CALIFORNIA.

12.

This Constitution shall take effect and be in force on and after the fourth day of July, eighteen hundred and seventy-nine, at twelve o'clock meridian, so far as the same relates to the election of all officers, the commencement of their terms of office, and the meeting of the Legislature. In all other respects and for all other purposes, this

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Constitution shall take effect on the first day of January, eighteen hundred and eighty, at twelve o'clock meridian.

DELAWARE.

5.

This Constitution, as amended, so far as shall concern the judicial department, shall commence and be in operation from and after the third Tuesday of January, in the year of our Lord

Constitution, When in Force.

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one thousand eight hundred and thirty-two. All the courts of justice now existing shall continue with their present jurisdiction, and the chancellor and judges and the clerks of the said courts shall continue in office until the said third Tuesday of January, in the year of our Lord one thousand eight hundred and thirty-two; upon which day the said courts shall be abolished and the offices of the said chancellor, judges and clerks shall expire. All writs of error and appeals and proceedings which, on the third Tuesday of January, in the year of our Lord one thousand eight hundred and thirty-two, shall be depending in the High Court of Errors and Appeals, and all the books, records and papers of said court shall be transferred to the Court of Errors and Appeals established by this amended Constitution; and the said writs of errors, appeals and proceedings shall be proceeded in the said Court of Errors and Appeals to final judgment, decree or other determination.

All suits, proceedings and matters which, on the third Tuesday of January, in the year of our Lord one thousand eight hundred and thirty-two, shall be depending in the Supreme Court or Court of Common Pleas, and all books, records and papers of the said courts, shall be transferred to the Superior Court established by this amended Constitution, and the said suits, proceedings and matters shall be proceeded in to final judgment or determination in the said Superior Court. All indictments, proceedings and matters which, on the third Tuesday of January, in the year of our Lord one thousand eight hundred and thirty-two, shall be depending in the Court of

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General Quarter Sessions of the Peace and Jail Delivery, shall be transferred to and proceeded in to final judgment and determination in the Court of General Sessions of the Peace and Jail Delivery established by this amended Constitution, and all books, records and papers of said Court of General Quarter Sessions of the Peace and Jail Delivery shall be transferred to said Court of General Sessions of the Peace and Jail Delivery. All suits, proceedings and matters which, on the third Tuesday of January, in the year of our Lord one thousand eight hundred and thirty-two, shall be depending in the Court of Chancery, or in the Orphans' Court, and all records, books and papers of said courts respectively, shall be transferred to the Court of Chancery or Orphans' Court, respectively, established by this amended Constitution; and the said suits, proceedings and matters shall be proceeded in to final decree, order or other determination.

OHIO.

9.

This Constitution shall take effect on the first day of September, one thousand eight hundred and fifty-one.

RHODE ISLAND.

1. XIV.

This Constitution, if adopted, shall go into operation on the first Tuesday of May, in the year one thousand eight hundred and forty-three. The first election of Governor, Lieutenant-Governor, Secretary of State, Attorney-General, General Treasurer, and of Senators and Representatives under said Constitution, shall be had on the first Wednesday of April next preceding by the electors

Constitution, When in Force.

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qualified under said Constitution. And the town and ward meetings therefor shall be warned and conducted as is now provided by law. All civil and military officers now elected, or who shall hereafter be elected, by the General Assembly, or other competent authority, before the said first Wednesday of April, shall hold their offices and may exercise their powers until the said first Tuesday of May, or until their successors shall be qualified to act. All statutes, public and private, not repugnant to this Constitution, shall continue in force until they expire by their own limitation or are repealed by the General Assembly. All charters, contracts, judgments, actions and rights of action shall be valid as if this Constitution had not been made. The present government shall exercise all the powers with which it is now clothed until the said first Tuesday of May,

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one thousand eight hundred and forty-three, and until the government under this Constitution is duly organized.

WASHINGTON.

16. XXVII.

The provisions of this Constitution shall be in force from the day on which the President of the United States shall issue his proclamation declaring the State of Washington admitted into the Union, and the terms of all officers elected at the first election under the provisions of this Constitution shall commence on the Monday next succeeding the issue of said proclamation, unless otherwise provided herein.

WYOMING.

8. XXI.

This Constitution shall take effect and be in full force immediately upon the admission of the Territory as a State.

MISCELLANEOUS PROVISIONS.

MINING AND IRRIGATION.

Sec. Art.

ARKANSAS.

3. X.

The General Assembly may, by general law, exempt from taxation for the term of seven years from the ratification of this Constitution the capital invested in any or all kinds of mining and manufacturing business in this State, under such regulations and restrictions as may be prescribed by law.

CALIFORNIA.

1. XIV.

The use of all water now appropriated, or that may hereafter be appropriated, for sale, rental or distribution, is hereby declared to be a public use, and subject to the regulation and control of the State, in the manner to be prescribed by law: Provided, that the rates of compensation to be collected by any person, company or corporation in this State for the use of water supplied to any city and county, or city, or town, or the inhabitants thereof, shall be fixed, annually, by the board of supervisors, or city and county, or city, or town council, or other governing body of such city and county, or city, or town, by ordinance or otherwise, in the manner that other ordinances or legislative acts or resolutions are passed by such body, and shall continue in force for one year and no longer. Such ordinances or resolutions shall be passed in the month of February of each year, and take effect on the first day of July thereafter. Any board or body failing to pass the necessary ordinances or resolutions fixing water rates, where necessary,

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within such time, shall be subject to peremptory process to compel action, at the suit if any party interested, and shall be liable to such further processes and penalties as the Legislature may prescribe. Any person, company or corporation collecting water rates in any city or county, or city, or town in this State, otherwise than as so established, shall forfeit the franchises and water-works of such person, company or corporation to the city and county, or city, or town, where the same are collected, for the public use.

2. XIV.

The right to collect rates or compensation for the use of waters supplied to any county, city and county, or town, or the inhabitants thereof, is a franchise, and cannot be exercised except by authority of and in the manner prescribed by law.

COLORADO.

1. XVI.

There shall be established and maintained in the office of Commissioner of Mines, the duties and salary of which shall be prescribed by law. When said office shall be established, the Governor shall, with the advice and consent of the Senate, appoint thereto a person known to be competent, whose term of office shall be four years.

2. XVI.

The General Assembly shall provide by law for the proper ventilation of mines, the construction of escapement shafts and such other appliances as may be necessary to protect the health and secure the safety of the

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workmen therein; and shall prohibit the employment in the mines of children under twelve years of age.

3. XVI.

The General Assembly may make such regulations, from time to time, as may be necessary for the proper and equitable drainage of mines.

4. XVI.

The General Assembly may provide that the science of mining and metallurgy be taught in one or more of the institutions of learning under the patronage of the State.

5. XVI.

The water of every natural stream, not heretofore appropriated within the State of Colorado, is hereby declared to be the property of the public, and the same is dedicated to the use of the people of the State, subject to appropriation as hereinafter provided.

6. XVI.

The right to divert the unappropriated waters of any natural stream to beneficial uses shall never be denied. Priority of appropriation shall give the better right as between those using the water for the same purpose; but when the waters of any natural stream are not sufficient for the service of all those desiring the use of the same, those using the water for domestic purposes shall have the preference over those claiming for any other purpose, and those using the water for agricultural purpose shall have preference over those using the same for manufacturing purposes.

7. XVI.

All persons and corporations shall have the right of way across public, private and corporate lands for the construction of

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ditches, canals and flumes, for the purpose of conveying water for domestic purposes for the irrigation of agricultural lands, and for mining and manufacturing purposes, and for drainage, upon payment of just compensation.

8. XVI.

The General Assembly shall provide by law that the Board of County Commissioners, in their respective counties, shall have power, when application is made to them by either party interested, to establish reasonable maximum rates to be charged for the use of water, whether furnished by individuals or corporations.

IDAHO.**1. XV.**

The use of all waters now appropriated, or that may hereafter be appropriated for sale, rental, or distribution; also of all water originally appropriated for private use, but which after such appropriation has heretofore been, or may hereafter be sold, rented, or distributed, is hereby declared to be a public use, and subject to the regulations and control of the State in the manner prescribed by law.

2. XV.

The right to collect rates or compensation for the use of water supplied to any county, city, or town, or water district, or the inhabitants thereof, is a franchise, and cannot be exercised except by authority of and in the manner prescribed by law.

3. XV.

The right to divert and appropriate the unappropriated waters of any natural stream to beneficial uses, shall never be denied. Priority of appropriation shall give the better right as between those using the

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water; but when the waters of any natural stream are not sufficient for the service of all those desiring the use of the same, those using the water for domestic purposes shall (subject to such limitations as may be prescribed by law) have the preference over those claiming for any other purpose; and those using the water for agricultural purposes shall have preference over those using the same for manufacturing purposes. And in any organized mining district, those using the water, for mining purposes, or milling purposes connected with mining, shall have preference over those using the same for manufacturing or agricultural purposes. But the usage of such subsequent appropriators shall be subject to such provisions of law regulating the taking of private property for public and private use, as referred to in section 14 of article I of this Constitution.

4. XV.

Whenever any waters have been, or shall be, appropriated or used for agricultural purposes, under a sale, rental, or distribution thereof, such sale, rental, or distribution shall be deemed an exclusive dedication to such use; and whenever such waters so dedicated shall have once been sold, rented, or distributed to any person who has settled upon or improved land for agricultural purposes with the view of receiving the benefit of such water under such dedication, such dedication, such person, his heirs, executors, administrators, successors, or assigns, shall not thereafter, without his consent, be deprived of the annual use of the same, when needed for domestic purposes, or to irrigate the land so settled upon or im-

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proved, upon payment therefor, and compliance with such equitable terms and conditions as to the quantity used and times of use, as may be prescribed by law.

5. XV.

Whenever more than one person has settled upon, or improved land with the view of receiving water for agricultural purposes, under a sale, rental or distribution thereof, as in the last preceding section of this article, provided, as among such persons priority in time shall give superiority of right to the use of such water in the numerical order of such settlements or improvements; but whenever the supply of such water shall not be sufficient to meet the demands of all those desiring to use the same, such priority of right shall be subject to such reasonable limitations as to the quantity of water used and times of use as the Legislature, having due regard, both to such priority of right and the necessities of those subsequent in time of settlement or improvement, may by law prescribe.

6. XV.

The Legislature shall provide by law the manner in which reasonable maximum rates may be established to be charged for the use of water sold, rented or distributed for any useful or beneficial purpose.

MONTANA.**3. XII.**

All mines and mining claims, both placer and rock in place, containing or bearing gold, silver, copper, lead, coal or other valuable mineral deposits, after purchase thereof from the United States, shall be taxed at the price paid the United States therefor, unless the surface

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ground, or some part thereof, of such mine or claim, is used for other than mining purposes, and has a separate and independent value for such other purposes, in which case said surface ground, or any part thereof, so used for other than mining purposes, shall be taxed at its value for such other purposes, as provided by law; and all machinery used in mining, and all property and surface improvements upon or appurtenant to mines and mining claims which have a value separate and independent of such mines or mining claims, and the annual net proceeds of all mines and mining claims shall be taxed as provided by law.

TEXAS.**7. XIV.**

The State of Texas hereby releases to the owner or owners of the soil all mines and minerals that may be on the same, subject to taxation as other property.

WASHINGTON.**1. XXI.**

The use of the waters of this State for irrigation, mining and manufacturing purposes shall be deemed a public use.

WYOMING.**31. I.**

Water being essential to industrial prosperity, of limited amount, and easy of diversion from its natural channels, its control must be in the State, which, in providing for its use, shall equally guard all the various interests involved.

1. IX.

There shall be established and maintained the office of inspector of mines, the duties and salary of which shall be pre-

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scribed by law. When said office shall be established, the Governor shall, with the advice and consent of the Senate, appoint thereto a person proven in the manner provided by law to be competent and practical, whose term of office shall be two years.

2. IX.

The Legislature shall provide by law for the proper development, ventilation, drainage and operation of all mines in this State.

5. IX.

The Legislature may provide that the science of mining and metallurgy be taught in one of the institutions of learning under the patronage of the State.

6. IX.

There shall be a State Geologist, who shall be appointed by the Governor of the State, with the advice and consent of the Senate. He shall hold his office for the term of six (6) years or until his successor shall have been appointed and shall have qualified. His duties and compensation shall be prescribed by law. No person shall be appointed to this position unless he has such theoretical knowledge and such practical experience and skill as shall fit him for the position; said State Geologist shall ex officio perform the duties of inspector of mines until otherwise provided by law.

3. XV.

All mines and mining claims from which gold, silver and other precious metals, soda, saline coal, mineral oil or other valuable deposit, is or may be produced, shall be taxed in addi-

Mining and Irrigation.

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tion to the surface improvements, and in lieu of taxes on the lands, on the gross product thereof, as may be prescribed

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by law: Provided, That the product of all mines shall be taxed in proportion to the value thereof.

Prohibition.

PROHIBITION.

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ALABAMA.

6. III.

It shall be the duty of the General Assembly to pass adequate laws giving protection against the evils arising from the use of intoxicating liquors at all elections.

COLORADO.

8. XVIII.

The General Assembly shall prohibit by law the importation into this State, for the purpose of sale, of any spurious, poisonous or drugged spirituous liquors, or spirituous liquors adulterated with any poisonous or deleterious substance, mixture or compound; and shall prohibit the compounding or manufacture within this State, except for chemical or mechanical purposes, of any of said liquors, whether they be denominated spirituous, vinous, malt or otherwise; and shall also prohibit the sale of any such liquors to be used as a beverage, and any violation of either of said prohibitions shall be punished by fine and imprisonment. The General Assembly shall provide by law for the condemnation and destruction of all spurious, poisonous or drugged liquors herein prohibited.

GEORGIA.

5. I.

Par. I. The General Assembly shall, by law, forbid the sale, distribution, or furnishing of intoxicating drinks within two miles of election precincts on days of election—State, county or municipal—and prescribe punishment for any violation of the same.

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IOWA.

26. I.

No person shall manufacture for sale or sell, or keep for sale, as a beverage, any intoxicating liquors whatever, including ale, wine and beer. The General Assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provision hereof.)

(The foregoing amendment was adopted at a special election held on June 27, 1882. The Supreme Court, April 21, 1883, in the case of Koehler & Lange vs. Hill, and reported in 69th Iowa, page 543, held that owing to certain irregularities, the same was not legally submitted to the electors, and did not become a part of the Constitution.)

KANSAS.

10. XV.

The manufacture and sale of intoxicating liquors shall be forever prohibited in this State, except for medical, scientific and mechanical purposes.

KENTUCKY.

61.

The General Assembly shall, by general law, provide a means whereby the sense of the people of any county, city, town, district or precinct may be taken, as to whether or not spirituous, vinous or malt liquors shall be sold, bartered or loaned therein or the sale thereof regulated. But nothing herein shall be construed to interfere with or to repeal any law in force relating to the sale or gift of such

Prohibition.

Sec. Art.

liquors. All elections on this question may be held on a day other than the regular election days.

154.

The General Assembly shall prescribe such laws as may be necessary for the restriction or prohibition of the sale or gift of spirituous, vinous or malt liquors on election days.

MAINE.

Art. XXVI. The manufacture of intoxicating liquors, not including cider, and the sale and keeping for sale of intoxicating liquors, are and shall be forever prohibited.

Except, however, that the sale and keeping for sale of such liquors for medicinal and mechanical purposes and the arts, and the sale and keeping for sale of cider, may be permitted under such regulations as the Legislature may provide.

The Legislature shall enact laws with suitable penalties for the suppression of the manufacture, sale and keeping for sale of intoxicating liquors, with the exceptions herein specified.

NORTH DAKOTA.

To be submitted to a separate vote of the people as provided by the schedule and ordinance.

217. XXII.

No person, association or corporation shall, within this State, manufacture for sale or gift, any intoxicating liquors, and no person, association or corporation shall import any of the same for sale or gift, or keep or sell or offer the same for sale or gift, barter or trade, as a beverage. The Legislative Assembly shall by law prescribe regulations for the enforcement of the provisions of

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this article, and shall thereby provide suitable penalties for the violation thereof.

RHODE ISLAND.

V.

The manufacture and sale of intoxicating liquors to be used as a beverage shall be prohibited. The General Assembly shall provide by law for carrying this article into effect.

SOUTH DAKOTA.

XXIV.

No person or corporation shall manufacture, or aid in the manufacture for sale, any intoxicating liquor; no person shall sell or keep for sale, as a beverage, any intoxicating liquor. The Legislature shall by law prescribe regulations for the enforcement of the provisions of this section and provide suitable and adequate penalties for the violation thereof. (Adopted October 1 1889, by the following vote: For Prohibition, 40,234; against prohibition, 34,510.)

TEXAS.

20. XVI.

The Legislature shall at its first session enact a law whereby the qualified voters of any county, justice's precinct, town, city (or such subdivision of a county as may be designated by the commissioners' court of said county) may by a majority vote determine from time to time whether the sale of intoxicating liquors shall be prohibited within the prescribed limits.

WEST VIRGINIA.

46. VI.

Laws may be passed regulating or prohibiting the sale of intoxicating liquors within the limits of this State.

Treason Against the State.

TREASON AGAINST THE STATE.

Sec. Art.

ALABAMA.**19. I.**

That treason against the State shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort; and that no person shall be convicted of treason, except on the testimony of two witnesses to the same overt act, or his confession in open court.

ARKANSAS.**14. II.**

Treason against the State shall only consist in levying and making war against the same, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

CALIFORNIA.**20. I.**

Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. No person shall be convicted of treason unless on the evidence of two witnesses to the same overt act, or confession in open court.

COLORADO.**9. II.**

That treason against the State can consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort; that no person can be convicted of treason unless on the testimony of two witnesses to the same overt act, or on his confession in open court; that no person can be attainted of treason or felony by the General Assembly; that no conviction

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can work corruption of blood or forfeiture of estate; that the estates of such persons as may destroy their own lives shall descend or vest as in cases of natural death.

CONNECTICUT.**15. I.**

No person shall be attainted of treason or felony by the Legislature.

FLORIDA.**23.**

Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort; and no person shall be convicted of treason except on the testimony of two witnesses to the same overt act, or confession in open court, and no conviction for treason shall work corruption of blood or forfeiture of estate.

GEORGIA.**2. I.**

Par. II. Treason against the State of Georgia shall consist in levying war against her, adhering to her enemies, giving them aid and comfort. No person shall be convicted of treason, except on the testimony of two witnesses to the same overt act, or confession in open court.

IDAHO.**5. V.**

Treason against the State shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same

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overt act, or on confession in open court. No conviction of treason or attainder shall work corruption of blood or forfeiture of estate.

INDIANA.

28. I.

Treason against the State shall consist only in levying war against it, and giving aid and comfort to its enemies.

29. I.

No person shall be convicted of treason, except on the testimony of two witnesses to the same overt act, or upon his confession in open court.

IOWA.

16. I.

Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. No person shall be convicted of treason, unless on the evidence of two witnesses to the same overt act, or confession in open court.

KANSAS.

13.

Treason shall consist only in levying war against the State, adhering to its enemies, or giving them aid and comfort. No person shall be convicted of treason unless on the evidence of two witnesses to the overt act, or confession in open court.

KENTUCKY.

229.

Treason against the Commonwealth shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason except on the testimony of two witnesses to the same overt act, or his own confession in open court.

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LOUISIANA.

151.

Treason against the State shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason except on the testimony of two witnesses to the same overt act, or his confession in open court.

MAINE.

12. I.

Treason against this State shall consist only in levying war against it, adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court.

MARYLAND.

Art. 18. That no law to attain particular persons of treason or felony ought to be made in any case, or at any time, hereafter.

MASSACHUSETTS.

XXV. No subject ought, in any case, or in any time, to be declared guilty of treason or felony by the Legislature.

MICHIGAN.

30. VI.

Treason against the State shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless upon the testimony of two witnesses to the same overt act, or on confession in open court.

MINNESOTA.

9. I.

Treason against the State shall consist only in levying war against the same, or in adhering to its enemies, giving them,

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aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

3. X.**MISSISSIPPI.**

Treason against the State shall consist only in levying war against the same or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

13. II.**MISSOURI.**

That treason against the State can consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort; that no person can be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on his confession in open court; that no person can be attainted of treason or felony by the General Assembly; that no conviction can work corruption of blood or forfeiture of estate; that the estates of such persons as may destroy their own lives shall descend or vest as in cases of natural death; and when any person shall be killed by casualty, there shall be no forfeiture by reason thereof.

9. III.**MONTANA.**

Treason against the State shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort; no person shall be convicted of treason except on the testimony of two witnesses to the same overt act, or on his confession in open court; no person shall be attainted of

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treason or felony by the Legislative Assembly; no conviction shall work corruption of blood or forfeiture of estate; the estates of persons who may destroy their own lives shall descend or vest as in cases of natural death.

14. I.**NEBRASKA.**

Treason against the State shall consist only in levying war against the State, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

19. I.**NEVADA.**

Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort; and no person shall be convicted of treason unless on the testimony of two witnesses of the same overt act, or on confession in open court.

14. I.**NEW JERSEY.**

Treason against the State shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

NORTH DAKOTA.**19. I.**

Treason against the State shall consist only in levying war against it, adhering to its enemies, or giving them aid and comfort. No person shall be convicted of treason unless on the evidence of two witnesses

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to the same overt act, or confession in open court.

OREGON.**24.**

Treason against the State shall consist only in levying war against it, or adhering to its enemies, giving them aid or comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court.

PENNSYLVANIA.**18. I.**

No person shall be attainted of treason or felony by the Legislature.

SOUTH DAKOTA.**25. VI.**

Treason against the State shall consist only in levying war against it, or in adhering to its enemies, or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court.

TEXAS.**22. I.**

Treason against the State shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort; and no person shall be convicted of treason except on the testimony of two witnesses to the same overt act, or on confession in open court.

WASHINGTON.**27. I.**

Treason against the State shall consist only in levying war against the State, or adhering

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to its enemies, or giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court.

WEST VIRGINIA.**6. II.**

Treason against the State shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court. Treason shall be punished according to the character of the acts committed, by the infliction of one, or more, of the penalties, of death, imprisonment or fine, as may be prescribed by law.

WISCONSIN.**10. I.**

Treason against the State shall consist only in levying war against the same, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

WYOMING.**26. I.**

Treason against the State shall consist only in levying war against it, or in adhering to its enemies, or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court nor shall any person be attainted of treason by the Legislature.

Requirements for Holding Office.

REQUIREMENTS FOR HOLDING OFFICE.

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ARKANSAS.**10. III.**

No person shall be qualified to serve as an election officer who shall hold at the time of the election any office, appointment or employment in or under the government of the United States, or of this State, or in any city or county, or any municipal board, commission or trust in any city, save only the justices of the peace and aldermen, notaries public and persons in the militia service of the State. Nor shall any election officer be eligible to any civil office to be filled at an election at which the shall serve—save only to such subordinate municipal or local offices, below the grade of city or county officers, as shall be designated by general law.

DELAWARE.**12. VII.**

No property qualification shall be necessary to the holding of any office in this State, except the office of Senator in the General Assembly, and the offices of assessor, inquisitor on lands, and levy court commissioner, and except such offices as the General Assembly shall by law designate.

GEORGIA.**4. I.**

Par. I. No person who is the holder of any public money, contrary to law, shall be eligible to any office in this State until the same is accounted for and paid into the treasury.

KENTUCKY.**237.**

No member of Congress, or person holding or exercising an office of trust or profit under the United

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States, or any of them, or under any foreign power, shall be eligible to hold or exercise any office of trust or profit under this Constitution, or the laws made in pursuance thereof.

LOUISIANA.

Art. 195. No person shall be eligible to any office, State, judicial, parochial, municipal or ward, who is not a citizen of this State and a duly qualified elector of the State, judicial district, parish, municipality or ward wherein the functions of said office are to be exercised. And whenever any officer, State, judicial, parochial, municipal or ward, may change his residence from this State, or from the district, parish, municipality or ward in which he holds such office, the same shall thereby be vacated, any declaration of retention of domicile to the contrary notwithstanding.

MINNESOTA.**7. VII.**

Every person who by the provisions of this article shall be entitled to vote at any election, shall be eligible to any office which now is, or hereafter shall be, elective to the people in the district wherein he shall have resided thirty days previous to such election, except as otherwise provided in this Constitution, or the Constitution and laws of the United States.

MISSOURI.**18. II.**

That no person elected or appointed to any office or employment of trust or profit under the laws of this State, or any ordinance of any municipality in this State, shall hold such office without personally

Requirements for Holding Office.

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devoting his time to the performance of the duties to the same belonging.

MONTANA.**7. IX.**

No person shall be elected or appointed to any office in this State, civil or military, who is not a citizen of the United States, and who shall not have resided in this State at least one year next before his election or appointment.

NEVADA.**9. IV.**

No person holding any lucrative office under the government of the United States, or any other power, shall be eligible to any civil office or profit under this State: Provided, That postmasters whose compensation does not exceed five hundred dollars per annum, or commissioner of deeds, shall not be deemed as holding a lucrative office.

OHIO.**4. XV.**

No person shall be elected or ap-

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pointed to any office in this State unless he possesses the qualification of an elector.

TEXAS.**40. XVI.**

No person shall hold or exercise, at the same time, more than one civil office of emolument, except that of justice of the peace, county commissioner, notary public and postmaster, unless otherwise specially provided herein.

WISCONSIN.**3. XIII.**

No member of Congress, nor any person holding any office of profit or trust under the United States (postmasters excepted), or under any foreign power; no person convicted of any infamous crime in any court within the United States; and no person being a defaulter to the United States, or to this State, or to any county or town therein, or to any State or Territory within the United States, shall be eligible to any office of trust, profit or honor in this State.

Water Rights.

WATER RIGHTS.

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CALIFORNIA.

1. XV.

The right of eminent domain is hereby declared to exist in the State to all frontages on the navigable waters of this State.

2. XV.

No individual, partnership, or corporation, claiming or possessing the frontage or tidal lands of a harbor, bay, inlet, estuary, or other navigable water in this State, shall be permitted to exclude the right of way to such water whenever it is required for any public purpose, nor to destroy or obstruct the free navigation of such water; and the Legislature shall enact such laws as will give the most liberal construction to this provision, so that access to the navigable waters of this State shall be always attainable for the people thereof.

3. XV.

All the tide lands within two miles of any incorporated city or town of this State, and fronting on the waters of any harbor, estuary, bay or inlet, used for the purposes of navigation, shall be withheld from grant or sale to private persons, partnerships or corporations.

210. XVII.

All flowing streams and natural water-courses shall forever remain the property of the State for mining, irrigating and manufacturing purposes.

WASHINGTON.

1. XV.

The Legislature shall provide for the appointment of a commission, whose duty it shall be to

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locate and establish harbor lines in the navigable waters of all harbors, estuaries, bays and inlets of this State, wherever such navigable waters lie within or in front of the corporate limits of any city or within one mile thereof upon either side. The State shall never give, sell or lease to any private person, corporation or association any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor line and the line of ordinary high tide, and within not less than fifty feet nor more than six hundred feet of such harbor line (as the commission shall determine) be sold or granted by the State nor its rights to control the same relinquished, but such area shall be forever reserved for landings, wharves, streets and other conveniences of navigation and commerce.

2. XV.

The Legislature shall provide general laws for the leasing of the right to build and maintain wharves, docks and other structures upon the areas mentioned in section 1 of this article, but no lease shall be made for any term longer than thirty years, or the Legislature may provide by general laws for the building and maintaining upon such area wharves, docks and other structures.

3. XV.

Municipal corporations shall have the right to extend their streets over intervening tide lands to and across the area reserved, as herein provided.

Water Rights.

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1. XVII.

The State of Washington asserts its ownership to the beds and shores of all navigable waters in the State up to and including the line of ordinary high tide in waters where the tide ebbs and flows, and up to and including the line of ordinary high water within the banks of all navigable rivers and lakes: Provided, That this section shall not be construed so as to debar any person from asserting his claim to vested rights in the courts of the State.

2. XVII.

The State of Washington disclaims all title in and claim to all tide, swamp and overflowed lands, patented by the United State: Provided, The same is not impeached for fraud.

WYOMING.

1. VIII.

The water of all natural streams, springs, lakes or other collections of still water within the boundaries of the State are hereby declared to be the property of the State.

2. VIII.

There shall be constituted a board of control, to be composed of the State Engineer and Superintendents of Water Divisions, which shall, under such regulations as may be prescribed by law, have the super-

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vision of the waters of the State and of their appropriation, distribution and diversion, and of the various offices connected therewith. Its decisions to be subject to review by the courts of the State.

3. VIII.

Priority of appropriation for beneficial uses shall give the better right. No appropriation shall be denied except when such denial is demanded by the public interests

4. VIII.

The Legislature shall by law divide the State into four (4) water divisions, and provide for the appointment of superintendents thereof.

5. VIII.

There shall be a State Engineer, who shall be appointed by the Governor of the State and confirmed by the Senate; he shall hold his office for the term of six (6) years, or until his successor shall have been appointed and shall have qualified. He shall be president of the board of control, and shall have general supervision of the waters of the State and of the officers connected with their distribution. No person shall be appointed to this position who has not such theoretical knowledge and such practical experience and skill as shall fit him for the position.

Homestead Exemptions.

HOMESTEAD EXEMPTIONS.

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ALABAMA.**1. X.**

The personal property of any resident of this State to the value of one thousand dollars, to be selected by such resident, shall be exempted from sale on execution, or other process of any court, issued for the collection of any debt contracted, since the thirteenth day of July, eighteen hundred and sixty-eight, or after the ratification of this Constitution.

2. X.

Every homestead, not exceeding eighty acres, and the dwelling and appurtenances thereon, to be selected by the owner thereof, and not in any city, town or village, with the dwelling and appurtenances thereon, owned or occupied by any resident of this State, and not exceeding the value of two thousand dollars, shall be exempted from sale, on execution or any other process from a court, for any debt contracted since the thirteenth day of July, eighteen hundred and sixty-eight, or after the ratification of this Constitution. Such exemption, however, shall not extend to any mortgage, lawfully obtained, but such mortgage or other alienation of such homestead, by the owner thereof, if a married man, shall not be valid without the voluntary signature and assent of the wife to the same.

3. X.

The homestead of a family after the death of the owner thereof, shall be exempt from the payment of any debts contracted since the thirteenth day of July, eighteen hundred and sixty-eight, or after the ratification of this Constitution, in all cases, during the minority of the children.

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4. X.

The provisions of section one and two of this article shall not be so construed as to prevent a laborer's lien for work done and performed for the person claiming such exemption, or a mechanic's lien for work done on the premises.

5. X.

If the owner of a homestead die, leaving a widow but no children, such homestead shall be exempt, and the rents and profits thereof shall inure to her benefit.

6. X.

The real or personal property of any female in this State, acquired before marriage, and all property, real and personal, to which she may afterwards be entitled by gift, grant, inheritance, or devise, shall be and remain the separate estate and property of such female, and shall not be liable for any debts, obligations, and engagements of her husband, and may be devised or bequeathed by her, the same as if she was a femme sole.

7. X.

The right of exemption hereinbefore secured, may be waived by an instrument in writing, and when such waiver relates to realty, the instrument must be signed by both the husband and wife, and attested by one witness.

ARKANSAS.**1. IX.**

The personal property of any resident of this State, who is not married or the head of a family, in specific articles to be selected by such resident, not exceeding in value the sum of two hundred dollars in addition to his or her wearing apparel, shall be exempt from seizure on attachment, or sale on execution, or

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other process from any court issued for the collection of any debt by contract: Provided, That no property shall be exempt from execution for debts contracted for the purchase-money therefor while in the hands of the vendee.

2. IX.

The personal property of any resident of this State who is married or the head of a family, in specific articles to be selected by such resident, not exceeding in value the sum of five hundred dollars in addition to his or her wearing apparel, and that of his or her family, shall be exempt from seizure on attachment, or sale on execution, or other process from any court on debt by contract.

3. IX.

The homestead of any resident of this State who is married or the head of a family shall not be subject to the lien of any judgment, or decree of any court, or to sale under execution or other process thereon, except such as may be rendered for the purchase-money or for specific liens, laborers or mechanics' liens for improving the same, or for taxes, or against executors, administrators, guardians, receivers, attorneys for moneys collected by them and other trustees of an express trust for moneys due from them in their fiduciary capacity.

4. IX.

The homestead outside any city, town or village, owned and occupied as a residence, shall consist of not exceeding one hundred and sixty acres of land, with the improvements thereon, to be selected by the owner; provided the same shall not exceed in value the sum of twenty-five hundred dollars, and in no event shall the homestead be reduced to less than eighty acres, without regard to value.

5. IX.

The homestead in any city, town or

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village, owned and occupied as a residence, shall consist of not exceeding one acre of land, with the improvements thereon, to be selected by the owner; provided the same shall not exceed in value the sum of two thousand five hundred dollars, and in no event shall such homestead be reduced less than one-quarter of an acre of land, without regard to value.

6. IX.

If the owner of a homestead die, leaving a widow, but no children, and said widow has no separate homestead in her own right, the same shall be exempt and the rents and profits thereof shall vest in her during her natural life, provided that if the owner leaves children, one or more, said child or children shall share with said widow and be entitled to half the rents and profits till each of them arrives at twenty-one years of age—each child's rights to cease at twenty-one years of age—and the shares to go to the younger children, and then all to go to the widow, and provided that said widow or children may reside on the homestead or not; and in case of the death of the widow all of said homestead shall be vested in the minor children of the testator or intestate.

9. IX.

The exemptions contained in the Constitution of 1868 shall apply to all debts contracted since the adoption thereof and prior to the adoption of this Constitution.

10. IX.

The homestead provided for in this article shall inure to the benefit of the minor children, under the exemptions herein provided, after the decease of the parents.

CALIFORNIA.

1. XVII.

The Legislature shall protect, by law,

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from forced sale, a certain portion of the homestead and other property of all heads of families.

FLORIDA.**9. IX.**

There shall be exempt from taxation property to the value of two hundred dollars to every widow that has a family dependent on her for support, and to every person that has lost a limb or been disabled in war or by misfortune.

1. X.

A homestead to the extent of one hundred and sixty acres of land, or the half of one acre within the limits of any incorporated city or town, owned by the head of a family residing in this State, together with one thousand dollars' worth of personal property, and the improvements on the real estate shall be exempt from forced sale under process of any court, and the real estate shall not be alienable without the joint consent of husband and wife, when the relation exists. But no property shall be exempt from sale for taxes or assessments, or for the payment of obligations contracted for the purchase of said property, or for the erection or repair of improvements on the real estate exempted, or for house, field or other labor performed on the same. The exemption herein provided for in a city or town shall not extend to more improvements or buildings than the residence and business house of the owner; and no judgment or decree or execution shall be a lien upon exempted property except as provided in this article.

2. X.

The exemptions provided for in section one shall inure to the widow and heirs of the party entitled to such exemption, and shall apply to all debts, except as specified in said section.

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3. X.

The exemption provided for in the Constitution of this State, adopted in 1868, shall apply as to all debts contracted and judgments rendered since the adoption thereof, and prior to the adoption of this Constitution.

4. X.

Nothing in this article shall be construed to prevent the holder of a homestead from alienating his or her homestead so exempted by deed or mortgage duly executed by himself or herself, and by husband and wife, if such relation exists; nor if the holder be without children to prevent him or her from disposing of his or her homestead by will in a manner prescribed by law.

5. X.

No homestead provided for in section one shall be reduced in area on account of its being subsequently included within the limits of an incorporated city or town, without the consent of the owner.

GEORGIA.**1.**

Par. I. There shall be exempt from levy by sale, by virtue of any process whatever under the laws of this State, except as hereinafter excepted of the property of every head of a family, or guardian, or trustee of a family of minor children, or very aged or infirm person, or persons having the care and support of dependent females of any age, who is not the head of a family, realty or personality, or both, to the value in the aggregate of sixteen hundred dollars.

2.

Par. I. No court or ministerial officer in this state shall ever have jurisdiction or authority to enforce any judgment, execution or decree, against the property set apart for such purpose, including such im-

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provements as may be made thereon from time to time, except for taxes, for the purchase-money of the same, for labor done thereon, for material furnished therefor, or for the removal of incumbrances thereon.

3.

Par. I. The debtor shall have power to waive or renounce in writing his right to the benefit of the exemption provided for in this article, except as to wearing apparel, and not exceeding three hundred dollars worth of household and kitchen furniture, and provisions, to be selected by himself and his wife, if any, and he shall not, after it is set apart, alienate or incumber the property so exempted, but it may be sold by the debtor and his wife, if any, jointly, with the sanction of the judge of the Superior Court of the county where the debtor resides or the land is situated, the proceeds be reinvested upon the same uses.

4.

Par. I. The General Assembly shall provide, by law, as early as practicable, for the setting apart and valuation of said property, but nothing in this article shall be construed to affect or repeal the existing laws for exemption of property from sale contained in the present code of this State, in paragraphs 2040 and 2049, inclusive, and the act amendatory thereto. It may be optional with the applicant to take either, but not both, of such exemptions.

5.

Par. I. The debtor shall have authority to waive or renounce in writing his right to the benefit of the exemption provided for in section four, except as is excepted in section three of this article.

6.

Par. I. The applicant shall, at any time, have the right to supplement his exemption by adding to an

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amount already set apart, which is less than the whole amount of exemption herein allowed, a sufficiency to make his exemption equal to the whole amount.

7.

Par. I. Homestead and exemptions of personal property which have been heretofore set apart by virtue of the provisions of the existing Constitution of this State, and in accordance with the laws for the enforcement thereof, or which may be hereafter so set apart, at any time, shall be and remain valid as against all debts and liabilities existing at the time of the adoption of this Constitution, to the same extent that they would have been had said existing Constitution not been revised.

8.

Par. I. Rights which have become vested under previously existing laws shall not be effected by anything herein contained. In all cases in which homesteads have been set apart under the Constitution of 1868, and the laws made in pursuance thereof, and a bona fide sale of such property has been subsequently made, and the full purchase-price thereof paid, all right of exemption in such property by reason of its having been so set apart, shall cease in so far as it affects the right of the purchaser. In all such cases where a part only of the purchase-price has been paid, such transaction shall be governed by the laws now of force in this State, in so far as they affect the rights of the purchaser, as though said property had not been set apart.

9.

Par. I. Parties who have taken a homestead of realty under the Constitution of eighteen hundred and sixty-eight shall have the right to sell said homestead and reinvest the same by order of the judge of the superior courts of this State.

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KANSAS.**9. XV.**

A homestead to the extent of one hundred and sixty acres of farming land, or of one acre within the limits of an incorporated town or city, occupied as a residence by the family of the owner, together with all the improvements on the same, shall be exempted from forced sale under any process of law, and shall not be alienated without the joint consent of husband and wife, when that relation exists; but no property shall be exempt from sale for taxes, or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon. Provided, the provisions of this section shall not apply to any process of law obtained by virtue of a lien given by the consent of both husband and wife.

LOUISIANA.**219.**

There shall be exempt from seizure and sale by any process whatever, except as herein provided, the "homesteads" bona fide owned by the debtor and occupied by him, consisting of lands, buildings and appurtenances, whether rural or urban; of every head of a family, or person having a mother or father, a person or persons dependent on him or her for support; also, one work-horse, one wagon or cart, one yoke of oxen, two cows and calves, twenty-five head of hogs, or one thousand pounds of bacon or its equivalent in pork, whether these exempted objects be attached to a homestead or not, and on a farm the necessary quantity of corn and fodder for the current year, and the necessary farming implements to the value of two thousand dollars. Provided, that in case the homestead exceeds two thousand dollars in value the beneficiary shall be entitled to that amount in case of a sale of the homestead under any

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legal process realizes more than that sum.

No husband shall have the benefit of a homestead whose wife owns and is in the actual enjoyment of property or means to the amount of two thousand dollars.

Such exemptions to be valid shall be set apart and registered as shall be provided by law. The benefit of this provision may be claimed by the surviving spouse or minor child or children of a deceased beneficiary if in indigent circumstances.

221.

The owner of a homestead shall at any time have the right to supplement his exemption by adding to an amount already set apart which is less than the whole amount of exemption herein allowed, sufficient to make his homestead and exemption equal to the whole amount allowed by this Constitution.

222.

The homestead shall not be susceptible of mortgage, except for the purchase-price, labor and material furnished for the building, repairing or improving homestead; nor shall any annunciation or waiver of homestead rights or exemption be valid. The right to sell any property which shall be recorded as a homestead shall be preserved, but no sale shall destroy or impair any rights of creditors therein.

MICHIGAN.**1. XVI.**

The personal property of every resident of this State, to consist of such property only as shall be designated by law, shall be exempted to the amount of not less than five hundred dollars, from sale on execution or other final process of any court, issued for the collection of any debt contracted after the adoption of this Constitution.

2. XVI.

Every homestead of not exceeding

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forty acres of land, and the dwelling-house thereon, and the appurtenances to be selected by the owner thereof, and not included in any town plat, city or village; or instead thereof, at the option of the owner, any lot in any city, village or recorded town plat, or such parts of lots as shall be equal thereto, and the dwelling-house thereon, and its appurtenances, owned and occupied by any resident of the State, not exceeding in value fifteen hundred dollars, shall be exempt from forced sale and execution or any other final process from a court, for any debt contracted after the adoption of this Constitution. Such exemption shall not extend to any mortgage thereon, lawfully obtained; but such mortgage or other alienation of such land by the owner thereof, if a married man, shall not be valid without the signature of the wife to the same.

3. XVI.

The homestead of a family, after the death of the owner thereof, shall be exempt from the payment of his debts contracted after the adoption of this Constitution, in all cases during the minority of his children.

4. XVI.

If the owner of a homestead die, leaving a widow but no children, the same shall be exempt, and the rents and profits thereof shall accrue to her benefit during the time of her widowhood, unless she be the owner of a homestead in her own right.

MONTANA.

4. XIX.

The Legislative Assembly shall enact liberal homestead and exemption laws.

NEVADA.

30. IV.

A homestead, as provided by law, shall be exempt from forced sale under any process of law, and shall not be alienated without the joint

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consent of husband and wife, when that relation exists; but no property shall be exempt from sale for taxes or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon: Provided. The provisions of this section shall not apply to any process of law obtained by virtue of a lien given by the consent of both husband and wife; and laws shall be enacted providing for the recording of such homestead within the county in which the same shall be situated.

NORTH CAROLINA.

1. X.

The personal property of any resident of this State, to the value of five hundred dollars, to be selected by such resident, shall be and is hereby exempted from sale under execution, or other final process of any court, issued for the collection of any debt.

2. X.

Every homestead, and the dwellings and buildings used therewith, not exceeding in value one thousand dollars, to be selected by the owner thereof, or in lieu thereof, at the option of the owner, any lot in a city, town or village, with the dwelling and buildings used thereon, owned and occupied by any resident of this State, and not exceeding the value of one thousand dollars, shall be exempt from sale under execution, or other final process obtained on any debt. But no property shall be exempt from sale for taxes, or for payment of obligations contracted for the purchase of said premises.

3. X.

The homestead, after the death of the owner thereof, shall be exempt from the payment of any debt during the minority of his children, or any one of them.

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4. X.

The provisions of sections one and two of this article shall not be so construed as to prevent a laborer's lien for work done and performed for the person claiming such exemption, or a mechanic's lien for work done on the premises.

5. X.

If the owner of a homestead die, leaving a widow, but no children, the same shall be exempt from the debts of her husband, and the rents and profits thereof shall inure to her benefit during her widowhood, unless she be the owner of a homestead in her own right.

8. X.

Nothing contained in the foregoing sections of this article shall operate to prevent the owner of a homestead from disposing of the same by deed; but no deed made by the owner of a homestead shall be valid without the voluntary signature and assent of his wife, signified on her private examination according to law.

SOUTH CAROLINA.

"That section 32, article II, of the Constitution of this State be and is hereby stricken out and the following inserted in lieu thereof:

"The General Assembly shall enact such laws as will exempt from attachment and sale under any mesne or final process issued from any court to the head of any family residing in this State a homestead in lands, whether held in fee or any lesser estate, not to exceed in value \$1,000 with the yearly products thereof; and every head of a family residing in this State, whether entitled to a homestead exemption in lands or not, personal property not to exceed in value the sum of \$500: Provided, That in case any woman having a separate estate shall be married to the head of a family who

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has not of his own sufficient property to constitute a homestead as hereinbefore provided, said married woman shall be entitled to a like exemption as provided for the head of a family: Provided further, That there shall not be an allowance of more than \$1,000 worth of real estate and more than \$500 worth of personal property to the husband and wife jointly: Provided, That no property shall be exempt from attachment, levy or sale for taxes, or for payment of obligations contracted for the purchase of said homestead or the erection of improvements thereon: Provided, further, That the yearly products of said homestead shall not be exempt from attachment, levy or sale for payment of obligations contracted in the production of the same. It shall be the duty of the General Assembly at their first session to enforce the provisions of this section by suitable legislation." (Ratified December 11, 1890.)

SOUTH DAKOTA.

4. XXI.

Exemptions.—The right of the debtor to enjoy the comforts and necessities of life shall be recognized by wholesome laws; exempting from forced sale a homestead, the value of which shall be limited and defined by law, to all heads of families, and a reasonable amount of personal property, the kind and value of which to be fixed by general law.

TENNESSEE.

11. X.

A homestead, in the possession of each head of a family, and the improvements thereon, to the value, in all, of one thousand dollars, shall be exempt from sale under legal process during the life of such head of a family, to inure to the benefit of the widow, and shall be exempt during the minority of their

Homestead Exemptions.

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children occupying the same. Nor shall said property be alienated without the joint consent of husband and wife, when that relation exists. This exemption shall not operate against public taxes, nor debts contracted for the purchase money of such homestead, or improvements thereon.

TEXAS.

9. XI.

The property of counties, cities and towns owned and held only for public purposes, such as public buildings and the sites therefor, fire engines and the furniture thereof, and all property used or intended for extinguishing fires, public grounds and all other property devoted exclusively to the use and benefit of the public, shall be exempt from forced sale and from taxation: Provided, Nothing herein shall prevent the enforcement of the vendor's lien, the mechanic's or builder's lien, or other liens now existing.

6. XIV.

To every head of a family without a homestead there shall be donated one hundred and sixty acres of public land, upon condition that he will select and locate said land, and occupy the same three years, and pay the office fees due thereon. To all single men of eighteen years of age and upwards shall be donated eighty acres of public land, upon the terms and conditions prescribed for heads of families.

51. XVI.

The homestead not in a town or city shall consist of not more than two hundred acres of land, which may be in one or more parcels, with the improvements thereon; the homestead in a city, town or village shall consist of lot or lots, not to exceed in value five thousand dollars at the time of their designation as the

Sec. Art.

homestead, without reference to the value of any improvements thereon: Provided, That the same shall be used for the purposes of a home, or as a place to exercise the calling or business of the head of a family: Provided, also, That any temporary renting of the homestead shall not change the character of the same when no other homestead has been acquired.

50. XVI.

The homestead of a family shall be, and is hereby, protected from forced sale, for the payment of all debts except for the purchase-money thereof, or a part of such purchase-money, the taxes due thereon, or for work and material used in constructing improvements thereon, and in this last case only when the work and material are contracted for in writing, with the consent of the wife given in the same manner as is required in making a sale and conveyance of the homestead; nor shall the owner, if a married man, sell the homestead without the consent of the wife, given in such manner as may be prescribed by law. No mortgage, trust deed or other lien on the homestead shall ever be valid, except for the purchase-money therefor, or improvements made thereon, as hereinbefore provided, whether such mortgage, or trust deed, or other lien, shall have been created by the husband alone or together with his wife; and all pretended sales of the homestead involving any condition of defeasance shall be void.

52. XVI.

On the death of the husband or wife, or both, the homestead shall descend and vest in like manner as other real property of the deceased, and shall be governed by the same laws of descent and distribution, but it shall not be partitioned among the heirs of the deceased during the

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lifetime of the surviving husband or wife, or so long as the survivor may elect to use or occupy the same as a homestead, or so long as the guardian of the minor children of the deceased may be permitted, under the order of the proper court having the jurisdiction, to use and occupy the same.

VIRGINIA.

1. XI.

Every householder or head of a family shall be entitled, in addition to the articles now exempt from levy or distress for rent, to hold, exempt from levy, seizure, garnisheeing, or sale under an execution, order or other process issued on any demand for any debt heretofore or hereafter contracted, his real and personal property, or either, including money and debts due him, whether heretofore or hereafter acquired or contracted, to the value of not exceeding two thousand dollars, to be selected by him: Provided, that such exemption shall not extend to any execution, order or other process issued on any demand in the following cases:

First.—For the purchase-price of said property or any part thereof.

Second.—For services rendered by a laboring person or a mechanic.

Third.—For liabilities incurred by any public officer or officer of a court, or any fiduciary, or any attorney at law, for money collected.

Fourth.—For a lawful claim for any taxes, levies or assessments accruing after the first day of June, 1866.

Fifth.—For rent hereafter accruing.

Sixth.—For the legal or taxable fees of any public officer or officers of a court hereafter accruing.

2. XI.

The foregoing section shall not be construed as subjecting the property hereby exempted, or any portion thereof, to any lien by reason of any execution levied on property

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which has been subsequently restored to the defendant, or judgment rendered or docketed on or after the 17th day of April, 1861, and before the 2d day of March, 1867, for any debt contracted previous to the 4th day of April, 1864, except debts of the character mentioned in either of the above first three exceptions.

3. XI.

Nothing contained in this article shall be construed to interfere with the sale of property aforesaid, or any portion thereof, by virtue of any mortgage, deed of trust, pledge or other security thereon.

4. XI.

The General Assembly is hereby prohibited from passing any law staying the collection of debts, commonly known as "stay laws;" but this section shall not be construed as prohibiting any legislation which the General Assembly may deem necessary to fully carry out the provisions of this article.

5. XI.

The General Assembly shall, at its first session under this Constitution, prescribe in what manner and on what conditions the said householder or head of a family shall thereafter set apart and hold for himself and family a homestead out of any property hereby exempted, and may, in its discretion, determine in what manner and on what conditions he may thereafter hold, for the benefit of himself and family, such personal property as he may have and coming within the exemption hereby made. But this section shall not be construed as authorizing the General Assembly to defeat or impair the benefits intended to be conferred by the provisions of this article.

6. XI.

An act of the General Assembly, entitled "An act to exempt the homesteads of families from forced sales,"

Homestead Exemptions.

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passed April 29, 1877, and an act entitled "An act to stay the collection of debts for a limited period," passed March 2, 1886, and the acts amendatory thereof, are hereby abrogated.

7. XI.

The provisions of this article shall be construed liberally, to the end that all the intents thereof may be fully and perfectly carried out.

8. XI.

The rights of ecclesiastical bodies in and to church property conveyed to them by regular deed of conveyance shall not be affected by the late civil war, nor by any antecedent or subsequent event, nor by any act of the Legislature purporting to govern the same, but all such property shall pass to and be held by the parties set forth in the original deed of conveyance, or the legal assignees of such original parties holding through or by conveyance, and any act or acts of the Legislature in opposition thereto shall be null and void.

9. XI.

The children of parents one or both of whom were slaves at and during the period of cohabitation, and who were recognized by the father as his children, and whose mother was recognized by such father as his wife, and was cohabited with as such, shall be as capable of inheriting any estate whereof such father may have died seized and possessed as though they had been born in lawful wedlock.

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WASHINGTON.

1. XIX.

The Legislature shall protect by law from forced sale a certain portion of the homesteads and other property of all heads of families.

WEST VIRGINIA.

48. VI.

Any husband or parent, residing in this State, or the infant children of deceased parents, may hold a homestead of the value of one thousand dollars, and personal property to the value of two hundred dollars, exempt from forced sale subject to such regulations as shall be prescribed by law: Provided, That such homestead exemption shall in no wise effect debts or liabilities existing at the time of the adoption of this Constitution: And provided further, that no property shall be exempt from sale for taxes due thereon, or for the payment of purchase-money due upon said property, or for debts contracted for the erection of improvements thereon.

WYOMING.

1. XIX.

A homestead as provided by law shall be exempt from forced sale under any process of law, and shall not be alienated without the joint consent of husband and wife, when that relation exists; but no property shall be exempt from sale for taxes, or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon.

IMMIGRATION, LABOR AND AGRICULTURE.

Sec. Art.

ARKANSAS.

1. X.

The General Assembly shall pass such laws as will foster and aid the agricultural, mining and manufacturing interests of the State, and may create a bureau to be known as the mining, manufacturing and agricultural bureau.

IDAHO.

1. XIII.

There shall be established a bureau of immigration, labor and statistics, which shall be under the charge of a commissioner of immigration, labor and statistics, who shall be appointed by the Governor, by and with the consent of the Senate. The commissioner shall hold his office for two years, and until his successor shall have been appointed and qualified, unless sooner removed. The commissioner shall collect information upon the subject of labor, its relation to capital, the hours of labor and the earnings of laboring men and women, and the means of promoting their material, social, intellectual and moral prosperity. The commissioner shall annually make a report in writing to the Governor of the State of the information collected and collated by him, and containing such recommendations as he may deem calculated to promote the efficiency of the bureau.

2. XIII.

Not more than eight (8) hours' actual work shall constitute a lawful day's work on all State and municipal works.

3. XIII.

All labor of convicts confined in the State's prison shall be done within the prison grounds, except where

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the work is done on public works under the direct control of the State.

4. XIII.

The employment of children under the age of fourteen (14) years in underground mines is prohibited.

5. XIII.

No person, not a citizen of the United States, or who has not declared his intention to become such, shall be employed upon, or in connection with, any State or municipal works.

6. XIII.

The Legislature shall provide by proper legislation for giving to mechanics, laborers, and material men an adequate lien on the subject-matter of their labor.

7. XIII.

The Legislature may establish boards of arbitration, whose duty it shall be to hear and determine all differences and controversies between laborers and their employers which may be submitted to them in writing by all the parties. Such boards of arbitration shall possess all the powers and authority in respect to administering oaths, subpoenaing witnesses, and compelling their attendance, preserving order during the sittings of the board, punishing for contempt, and requiring the production of papers and writings, and all other powers and privileges, in their nature applicable, conferred by law on justices of the peace.

8. XIII.

The commissioner of immigration, labor and statistics shall perform such duties and receive such compensation as may be prescribed by law.

KENTUCKY.

243.

The General Assembly shall, by law

Immigration, Labor and Agriculture.

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fix the minimum ages at which children may be employed in places dangerous to life or health, or injurious to morals; and shall provide adequate penalties for violations of such law.

MARYLAND.**1. X.**

There shall be a Superintendent of Labor and Agriculture elected by the qualified voters of this State at the first general election for Delegates to the General Assembly after the adoption of this Constitution who shall hold his office for the term of four years, and until the election and qualification of his successor.

2. X.

His qualifications shall be the same as those prescribed for the Comptroller; he shall qualify and enter upon the duties of his office on the second Monday of January next succeeding the time of his election; and a vacancy in the office shall be filled by the Governor for the residue of the term.

3. X.

He shall perform such of the duties now devolved by law upon the Commissioner of Immigration, and the Immigration Agent, as will promote the object for which those officers were appointed, and such other duties as may be assigned to to him by the General Assembly, and shall receive a salary of twenty-five hundred dollars a year; and after his election and qualification, the offices before mentioned shall cease.

4. X.

He shall supervise all the State inspectors of agricultural products and fertilizers; and from time to time, shall carefully examine and audit their accounts, and prescribe regulations, not inconsistent with law, tending to secure economy and efficiency in the business of their

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offices. He shall have the supervision of the tobacco warehouses and all other buildings used for inspection and storage purposes by the State; and may, at the discretion of the Legislature, have the supervision of all public buildings now belonging to or which may hereafter be erected by the State. He shall frequently inspect such buildings as are committed to his charge, and examine all accounts for labor and materials required for their construction or repairs.

5. X.

He shall inquire into the undeveloped resources of wealth of the State of Maryland, more especially concerning those within the limits of Chesapeake Bay and its tributaries, which belong to the State, and suggest such plans as may be calculated to render them available as sources of revenue.

6. X.

He shall make detailed reports to every General Assembly within the first week of its session, in reference to each of the subjects committed to his charge, and he shall also report to the Governor, in the recess of the Legislature, all abuses or irregularities which he may find to exist in any department of public affairs with which his office is connected.

7. X.

The office hereby established shall continue for four years from the date of the qualification of the first incumbent thereof; and shall then expire, unless continued by the General Assembly.

MONTANA.**1. XVIII.**

The Legislative Assembly may provide for a bureau of agriculture, labor and industry, to be located at the capitol and be under the control of a commissioner appointed by

Immigration, Labor and Agriculture.

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the Governor subject to the confirmation of the Senate. The Commissioner shall hold his office for four years, and until his successor is appointed and qualified. His compensation shall be as provided by law.

2. XVIII.

It shall be unlawful for the warden or other officer of any State penitentiary or reformatory institution in the State of Montana, or for any State officer to let by contract to any person or persons or corporation the labor of any convict confined within said institutions.

NORTH DAKOTA.**209.**

The labor of children under twelve years of age shall be prohibited in mines, factories and workshops in this State.

WYOMING.**22. I.**

The rights of labor shall have just protection through laws calculated to secure to the laborer proper rewards for his service and to promote the industrial welfare of the State.

3. IX.

No boy under the age of fourteen years, and no woman or girl of any age shall be employed or permitted to be in or about any coal, iron or other dangerous mines for the purpose of employment therein; Provided, however, this provision shall not effect the employment of a boy or female of suitable age in an office or in the performance of clerical work at such mine or colliery.

4. IX.

For any injury to person or property

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caused by willful failure to comply with the provisions of this article, or laws passed in pursuance hereof, a right of action shall accrue to the party injured, for the damage sustained thereby, and in all cases in this State, whenever the death of a person shall be caused by wrongful act, neglect or default, such as would, if death had not ensued, have entitled the party injured to maintain an action to recover damages in respect thereof, the person who or the corporation which would have been liable, if death had not ensued, shall be liable for an action for damages notwithstanding the death of the person injured, and the Legislature shall provide by law at its first session for the manner in which the right of action in respect thereto shall be enforced.

1. XIX.

Eight (8) hours actual work shall constitute a lawful day's work in all mines, and on all State and municipal works.

1. XX.

It shall be unlawful for any person, company, or corporation, to require from its servants or employees as a condition of their employment, or otherwise, any contract or agreement, whereby such person, company or corporation shall be released or discharged from liability or responsibility, on account of personal injuries received by such servants or employees, while in the service of such person, company or corporation, by reason of the negligence of such person, company or corporation, or the agents or employees thereof, and such contracts shall be absolutely null and void.

Restrictions in Regard to Marriage of White and Black.

RESTRICTIONS IN REGARD TO MARRIAGE OF WHITE AND BLACK.

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FLORIDA.**24. XVI.**

All marriages between a white person and a negro, or between a white person and a person of negro descent to the fourth generation, inclusive, are hereby forever prohibited.

MISSISSIPPI.**263. XIV.**

The marriage of a white person with a negro or mulatto, or person who shall have one-eighth or more of

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negro blood, shall be unlawful and void.

TENNESSEE.**14. X.**

The intermarriage of white persons with negroes, mulattoes, or persons of mixed blood, descended from a negro to the third generation, inclusive, or their living together as man and wife, in this State, is prohibited. The Legislature shall enforce this section by appropriate legislation.

Restrictions in Regard to Negroes and Mulattoes.

RESTRICTIONS IN REGARD TO NEGROES AND MULATTOES.**Sec. Art.****INDIANA.****1. XIII.**

No negro or mulatto shall come into, or settle in, the State, after the adoption of this Constitution.

2. XIII.

All contracts made with any negro or mulatto coming into the State, contrary to the provisions of the foregoing section, shall be void; and any person who shall employ such negro or mulatto, or otherwise encourage him to remain in the State, shall be fined in any sum not less than ten dollars, nor more than five hundred dollars.

3. XIII.

All fines which may be collected for a violation of the provisions of this article, or of any law which may hereafter be passed for the purpose of carrying the same into execution, shall be set apart and appropriated for the colonization of such negroes and mulattoes, and their

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descendants, as may be in the State at the adoption of this Constitution, and may be willing to emigrate.

4. XIII.

The General Assembly shall pass laws to carry out the provisions of this article.

OREGON.**35. I.**

No free negro or mulatto, not residing in this State at the time of the adoption of this Constitution, shall come, reside or be within this State, or hold any real estate, or make any contracts, or maintain any suit therein; and the Legislative Assembly shall provide by penal laws for the removal by public officers of all such negroes and mulattoes, and for their effectual exclusion from the State, and for the punishment of persons who shall bring them into the State, or employ or harbor them.

The Making of Profit out of Public Money a Felony.

THE MAKING OF PROFIT OUT OF PUBLIC MONEY A FELONY.

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ARKANSAS.**3. XVI.**

The making of profit out of public moneys, or using the same for any purpose not authorized by law, by any officer of the State, or member or officer of the General Assembly, shall be punishable as may be provided by law; but part of such punishment shall be disqualification to hold office in this State for a period of five years.

CALIFORNIA.**17. I.**

The making of profit out of county, city, town, or other public money, or using the same for any purpose not authorized by law, by any officer having the possession or control thereof, shall be a felony, and shall be prosecuted and punished as prescribed by law.

COLORADO.**13. X.**

The making of profit, directly or indirectly, out of State, county, city, town or school district money, or using the same for any purpose not authorized by law, by any public officer, shall be deemed a felony, and shall be punished as provided by law.

IDAHO.**10. XVII.**

The making of profit, directly or indirectly, out of State, county, city, town, township or school district money, or using the same for any purpose not authorized by law, by any public officer, shall be deemed a felony, and shall be punished as provided by law.

KENTUCKY.**173.**

The receiving, directly or indirectly, by any officer of the Commonwealth,

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or of any county, city or town, or member or officer of the General Assembly, of any interest, profit or perquisites arising from the use or loan of public funds in his hands, or moneys to be raised through his agency for State, city, town, district or county purposes shall be deemed a felony. Said offense shall be punished as may be prescribed by law, a part of which punishment shall be disqualification to hold office.

MISSOURI.**17. X.**

The making of profit out of State, county, city, town or school district money, or using the same for any purpose not authorized by law, by any public officer, shall be deemed a felony; and shall be punished as provided by law.

MONTANA.**14.**

The making of profit out of public moneys, or using the same for any purpose not authorized by law, by any public officer, shall be deemed a felony, and shall be punished as provided by law, but part of such punishment shall be disqualification to hold public office.

PENNSYLVANIA.**14. IX.**

The making profit out of the public moneys or using the same for any purpose not authorized by law by any officer of the State, or member or officer of the General Assembly, shall be a misdemeanor and shall be punished as may be provided by law, but part of such punishment shall be disqualification to hold office for a period of not less than five years.

The Making of Profit out of Public Money a Felony.

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SOUTH DAKOTA.**11. XI.**

The making of profit, directly or indirectly, out of State, county, city, town or school district money, or using the same for any purpose not authorized by law, shall be deemed a felony and shall be punished as provided by law.

WASHINGTON.**14. XI.**

The making of profit out of county, city, town or other public money, or using the same for any purpose not authorized by law, by any officer

Sec. Art.

having the possession or control thereof, shall be a felony, and shall be prosecuted and punished as prescribed by law.

WYOMING.**8. XV.**

The making of profit, directly or indirectly, out of State, county, city, town or school district money or other public fund, or using the same for any purpose not authorized by law, by any public officer, shall be deemed a felony, and shall be punished as provided by law.

Restrictions in Regard to Chinamen.

RESTRICTIONS IN REGARD TO CHINAMEN.

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CALIFORNIA.

1. XIX.

The Legislature shall prescribe all necessary regulations for the protection of the State, and the counties, cities and towns thereof, from the burdens and evils arising from the presence of aliens who are or may become vagrants, paupers, mendicants, criminals, or invalids afflicted with contagious or infectious diseases, and from aliens otherwise dangerous or detrimental to the well-being or peace of the State, and to impose conditions upon which such persons may reside in the State, and to provide the means and mode of their removal from the State, upon failure or refusal to comply with such conditions: Provided, that nothing contained in this section shall be construed to impair or limit the power of the Legislature to pass such police laws or other regulations as it may deem necessary.

2. XIX.

No corporation now existing or hereafter formed under the laws of this State shall, after the adoption of this Constitution, employ, directly or indirectly, in any capacity, any Chinese or Mongolian. The Legislature shall pass such laws as may be necessary to enforce this provision.

3. XIX.

No Chinese shall be employed on any State, county, municipal or other public work, except in punishment for crime.

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14. XIX.

The presence of foreigners ineligible to become citizens of the United States is declared to be dangerous to the well-being of the State, and the Legislature shall discourage their immigration by all the means within its power. Asiatic coolieism is a form of human slavery, and is forever prohibited in this State, and all contracts for coolie labor shall be void. All companies or corporations, whether formed in this country or any foreign country, for the importation of such labor, shall be subject to such penalties as the Legislature may prescribe. The Legislature shall delegate all necessary power to the incorporated cities and towns of this State for the removal of Chinese without the limits of such cities and towns, or for their location within prescribed portions of those limits, and it shall also provide the necessary legislation to prohibit the introduction into this State of Chinese, after the adoption of this Constitution. This section shall be enforced by appropriate legislation.

OREGON.

8. XV.

No Chinaman, not a resident of the State at the adoption of this Constitution, shall ever hold any real estate or mining claim, or work any mining claim therein.

The legislative assembly shall provide by law in the most effectual manner for carrying out the above provisions.

GENERAL MISCELLANY.

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CALIFORNIA.**22. I.**

The provisions of this Constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise.

2. XVII.

The holding of large tracts of land, uncultivated and unimproved, by individuals and corporations, is against the public interest, and should be discouraged by all means not inconsistent with the rights of private property.

FLORIDA.**9. IX.**

There shall be exempt from taxation property to the value of two hundred dollars to every widow that has a family dependent on her for support, and to every person that has lost a limb or been disabled in war or by misfortune.

IDAHO.**1. XVI.**

The Legislature shall pass all necessary laws to provide for the protection of live stock against the introduction or spread of pleuro-pneumonia, glanders, splenetic or Texas fever, and other infectious or contagious diseases. The Legislature may also establish a system of quarantine or inspection, and such other regulations as may be necessary for the protection of stock-owners and most conducive to the stock interests within this State.

ILLINOIS.**1. XIII.**

All elevators or store houses where grain or other property is stored

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for a compensation, whether the property stored be kept separate or not, are declared to be public warehouses.

2. XIII.

The owner, lessee or manager of each and every public warehouse situated in any town or city of not less than one hundred thousand inhabitants, shall make weekly statements under oath, before some officer to be designated by law, and keep the same posted in some conspicuous place in the office of such warehouse, and shall also file a copy for public examination in such place as shall be designated by law, which statement shall correctly set forth the amount and grade of each and every kind of grain in such warehouse, together with such other property as may be stored therein, and what warehouse receipts have been issued, and are, at the time of making such statement, outstanding therefor; and shall, on the copy posted in the warehouse, note daily such changes as may be made in the quality and grade of grain in such warehouse; and the different grades of grain shipped in separate lots shall not be mixed with inferior or superior grades without the consent of the owner or consignee thereof.

MARYLAND.**6. VII.**

The qualified voters of Worcester county shall, on the Tuesday next after the first Monday in the month of November, in the year eighteen hundred and sixty-seven, and every two years thereafter, elect a wreck master for said county, whose duties

General Miscellany.

Sec. Art.

and compensation shall be the same as are now prescribed by law; the term of office of said wreck master shall commence on the first Monday of January next succeeding his election, and a vacancy in said office shall be filled by the county commissioners of said county for the residue of the term.

MONTANA.**29. III.**

The provisions of this Constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise.

NORTH CAROLINA.**7. X.**

The husband may insure his own life for the sole use and benefit of his wife and children, and in case of the death of the husband, the amount thus insured shall be paid over to the wife and children, or to the guardian, if under age, for her or their own use, free from all the claims of the representatives of her husband, or any of his creditors.

VERMONT.**37.**

To deter more effectually from the commission of crimes, by continued visible punishments of long duration, and to make sanguinary punishments less necessary, means ought to be provided for punishing by hard labor, those who shall be convicted of crimes not capital, whereby the criminal shall be employed for the benefit of the

Sec. Art.

public, or for the reparation of injuries done to private persons; and all persons at proper times ought to be permitted to see them at their labor.

VIRGINIA.**2. X.**

No tax shall be imposed on any of the citizens of this State for the privilege of taking or catching oysters from their natural beds with tongs in the waters thereof; but the amount of sales of oysters so taken by any citizen in any one year, may be taxed at a rate not exceeding the rate of taxation imposed upon any other species of property.

WASHINGTON.**29. I.**

The provisions of this Constitution are mandatory, unless by express words they are declared to be otherwise.

WYOMING.**1. XIX.**

The Legislature shall pass all necessary laws to provide for the protection of live stock against the introduction or spread of pleuro-pneumonia, glanders splenic or Texas fever, or other infectious or contagious diseases. The Legislature shall also establish a system of quarantine, or inspection, and such other regulations as may be necessary for the protection of stock owners, and most conducive to the stock interests within the State.

Salt Springs.

SALT SPRINGS.

Sec. Art. **NEBRASKA.**

17. III.

The Legislature shall never alien-

Sec. Art.

ate the salt springs belonging
to the State.

